

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Planning and Community Development *AK*

BOARD AGENDA # 6:40 p.m.

Urgent Routine

AGENDA DATE August 19, 2014

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Public Hearing to Consider Planning Commission's Recommendation for Approval of General Plan Amendment and Rezone Application No. PLN2012-0038, Brite Transport Systems, Inc., a Request to Expand an Existing Agricultural Trucking Business with the Addition of an RV Storage/Parking Facility Located at 5101 Claus Road, in the Riverbank Area and Adoption of a Negative Declaration

PLANNING COMMISSION AND STAFF RECOMMENDATIONS:

1. Conduct a public hearing to consider Planning Commission's recommendation for approval of General Plan Amendment and Rezone Application No. PLN2012-0038, Brite Transport Systems, Inc., a request to amend the General Plan designation of Urban Transition and zoning designation of A-2-10 (General Agriculture) to Planned Development (P-D), for three parcels totaling 20.98 acres, to expand an existing agricultural trucking business with the addition of an RV storage/parking facility on property located at 5101 Claus Road, in the Riverbank area.

(Continued on page 2)

FISCAL IMPACT:

There are no fiscal impacts associated with this project. In accordance with the adopted Department of Planning and Community Development Fee Schedule, this project is subject to payment of the 'actual cost' for process. All costs associated with this project have been paid and approval of this project will have no impact on the County's General Fund.

BOARD ACTION AS FOLLOWS:

No. 2014-436

On motion of Supervisor O'Brien, Seconded by Supervisor Monteith,
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, Monteith, and Chairman De Martini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION: INTRODUCED, WAIVED THE READING AND ADOPTED ORDINANCE C.S. 1154 FOR REZONE APPLICATION NO. PLN2012-0038, BRITE TRANSPORT SYSTEMS, INC.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-T-1

PLANNING COMMISSION AND STAFF RECOMMENDATIONS: (Continued)

2. Adopt the Negative Declaration pursuant to California Code of Regulations Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgment and analysis.
3. Order the filing of a Notice of Determination with the Stanislaus County Clerk Recorder pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
4. Find That:
 - A. The General Plan amendment will maintain a logical land use pattern without detriment to existing and planned land uses;
 - B. The County and other affected government agencies will be able to maintain levels of service consistent with the ability of the government agencies to provide a reasonable level of service;
 - C. The amendment is consistent with the General Plan goals and policies;
 - D. The proposed Planned Development zoning is consistent with the Planned Development General Plan designation; and
 - E. The project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements.
5. Approve General Plan Amendment and Rezone Application No. PLN2012-0038, Brite Transport Systems, Inc.
6. Introduce, waive the reading and adopt an ordinance for the approved Rezone Application No. PLN2012-0038, Brite Transport Systems, Inc.

DISCUSSION:

The project is a request to amend the current General Plan designation of Urban Transition and zoning designation of A-2-10 (General Agriculture) to Planned Development (P-D), for three (3) parcels totaling 20.98± acres, to allow for an existing agricultural trucking business to expand with the addition of an RV storage/parking facility on an adjacent property. The project site is located at the northwest corner of Claribel and Claus Roads, on the south side of Davis Avenue, in the LAFCO adopted City of Riverbank Sphere of Influence (SOI).

The existing agricultural trucking operation, located at 5101 Claus Road (APN 075-024-009, 8.92 acres), has an office, truck maintenance/repair shop, and several accessory storage buildings. The parcel to the west (APN 075-024-011, 8.65 acres) currently has no structures and is utilized as a part of the existing Ag trucking operation for the storage of truck beds. (See Attachment 1 - Planning Commission Staff Report, *July 27, 2014*, Exhibit B – *Maps*.)

Brite trucking has been operating on the project site since 1978 and has obtained a number of land use permits as summarized below:

- ZUPA 78-121 – Permitted the agricultural trucking operation, including a 3,200 square foot building for on-site repair and maintenance of trucks (BP#100568);
- SAA 82-07 - Permitted construction of a 2,400 square foot office (BP#113837);
- SAA 84-10 – Permitted expansion of an existing maintenance and repair shop (BP#120752) and construction of a 2,500 square foot truck and tire storage area (BP#120751); and
- UP 88-09 – Permitted 2,000 square foot expansion of the existing truck shelter/tire storage area (BP#139704)

The agricultural trucking operation is permitted for a maximum of 98 trucks during peak harvest season. Currently, during harvest season (July to October), an average of 25 truck trips per day (25 employees) occur, operating 24 hours per day, seven days per week. Non-harvest season consists of one to five truck trips per day, operating 9:00 a.m. to 5:00 p.m., Monday through Friday.

Although no land use authority has been obtained for the RV storage facility, the northern parcel (3912 Davis Avenue, APN 075-024-008, 3.41 acres) currently operates as Leisure RV Storage and contains a mobile home, carport, two sheds, RV storage, a shop, and a portion of the ag trucking operation. The RV storage portion of this parcel is currently fenced. A maximum number of 65 RV's will be stored on-site at any given time throughout the year. Business hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. The RV storage operation includes a maximum of two employees and up to 10 customer visits per day.

If this project is approved, a lot line adjustment is proposed to separate the RV parking and agricultural truck parking operations. After the lot line adjustment is completed, APN 075-024-008 (3912 Davis Avenue) will be 3.63 acres in size (an increase of .22 acres) and will contain only the RV storage, mobile home, and accessory structures. APN 075-024-009 (5101 Claus Road) will be adjusted from 8.92 acres to 8.70 acres and will contain only the ag trucking operation, office, shop, and storage structures. (See Attachment 1 - Planning Commission Staff Report, *July 27, 2014*, Exhibit B-5 and B-6 – *Parcels Before and After Lot Line Adjustment*.)

All three parcels are served by well and septic facilities. The RV storage portion of the project will be required to construct ADA compliant restroom and parking facilities as required by the development standards included with this project. Landscaping will also be installed around the existing RV storage facility perimeter fencing fronting Davis Avenue and Claus Road. No signs were proposed as a part of this project; however, any signs to be proposed in the future must be approved by the City of Riverbank as required by the attached Development Standards. (See Attachment 1 - Planning Commission Staff Report, *July 27, 2014*, Exhibit C – *Development Standards*.)

The majority of the parcels surrounding the project site contain uses which are estate residential, industrial, and recreational in nature. Parcels adjacent to the project site include: Rainbow Fields Sports Complex, ranchettes, and the Oakdale Irrigation District's Langstroth Pond to the south; ranchettes and the City of Riverbank to the north; Riverbank Industrial Complex to the east; ranchettes, the Santa Fe Rail Road, and the City of Riverbank to the west; and a church to the southeast.

A 2,400 square foot shop, located in the southwest corner of the RV storage portion of the project site (APN 075-024-008) has no building permit on record. A development standard has been added to this project which requires that a building permit be obtained for the existing shop within six months and finalized (including obtaining any applicable Certificate of Occupancy) within one year of project approval. (See Attachment 1 - Planning Commission Staff Report, *July 27, 2014*, Exhibit C – *Development Standards*.)

The City of Riverbank did not request any road improvements at this time; however, the City did indicate that they may request road improvements when future development occurs. Specific roadway improvements will depend on the type and intensity of future development which might take place on the property and will include, at a minimum, curb, gutter, sidewalk, and street paving as approved by the City of Riverbank Engineer as well as the County Engineer.

No other issues or concerns have been raised with this project. The business has been operating on this site since 1978. This request will amend the general plan and zoning designations of the project site to P-D (Planned Development) and will allow the existing business to expand to include RV storage. Development Standards have been applied to the project and are required to be completed by the applicant/owner in accordance with the Development Schedule. (See Attachment 1 - Planning Commission Staff Report, *July 27, 2014*, Exhibit C – *Development Standards* and Exhibit D – *Development Schedule*.)

On July 17, 2014, the Planning Commission held a public hearing to consider this application. No one spoke in opposition of the project and the applicant's representative Mark Niskanen, with JB Anderson Land Use Planning, spoke in favor of the project.

The Planning Commission voted 6-0 (unanimous) to recommend approval of the General Plan Amendment and Rezone to the Board of Supervisors.

Planning Staff believes that the General Plan Amendment and Rezone for the proposed use on this specific site is consistent with the goals and policies of the County's General Plan. For a discussion on the proposed project's General Plan consistency see Attachment 1 - *Planning Commission Staff Report, July 17, 2014.*

POLICY ISSUES:

The proposed rezone supports the Board's priorities of A Well Planned Infrastructure System and A Strong Local Economy by providing a land use determination consistent with the overall goals and policies of the Stanislaus County General Plan.

STAFFING IMPACT:

Planning and Community Development Department staff is responsible for preparing all reports and attending meetings associated with the proposed rezone application.

CONTACT PERSON:

Angela Freitas, Planning and Community Development Director.
Telephone: (209) 525-6330

ATTACHMENTS:

1. Planning Commission Staff Report, July 17, 2014
2. Planning Commission Minutes, July 17, 2014
3. Draft Ordinance and Sectional District Map

STANISLAUS COUNTY PLANNING COMMISSION

July 17, 2014

STAFF REPORT

**GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2012-0038
BRITE TRANSPORT SYSTEMS, INC.**

REQUEST: TO AMEND THE CURRENT GENERAL PLAN DESIGNATION OF URBAN TRANSITION AND ZONING DESIGNATION OF A-2-10 (GENERAL AGRICULTURE) TO PLANNED DEVELOPMENT (P-D), FOR THREE (3) PARCELS TOTALING 20.98± ACRES, TO EXPAND AN EXISTING AGRICULTURAL TRUCKING BUSINESS TO INCLUDE AN RV STORAGE/PARKING FACILITY ON AN ADJACENT PROPERTY.

APPLICATION INFORMATION

Applicant/Owner:	Cynthia Lindsey, Brite Transport Systems, Inc.
Agent:	Mark Niskanen, JB Anderson Land Use Planning
Location:	5101 Claus Road, at the northwest corner of Claribel and Claus Roads, on the south side of Davis Avenue, in the Riverbank area
Section, Township, Range:	36-2-9
Supervisorial District:	One (Supervisor O'Brien)
Assessor's Parcel:	075-024-008, 009, and 011
Referrals:	See Exhibit "G" Environmental Review Referrals
Area of Parcel(s):	3.41 acres, 8.92 acres, 8.65 acres
Water Supply:	Well
Sewage Disposal:	Septic
Existing Zoning:	A-2-10 (General Agriculture)
General Plan Designation:	UT (Urban Transition)
Sphere of Influence:	Riverbank
Community Plan Designation:	N/A
Williamson Act Contract No.:	N/A
Environmental Review:	Negative Declaration
Present Land Use:	Agricultural Trucking Operation, pasture, office, truck repair shop, RV storage, single-family dwelling, and accessory buildings
Surrounding Land Use:	Rainbow Fields Sports Complex, ranchettes, and the Oakdale Irrigation District's Langstroth Pond to the south; ranchettes and the City of Riverbank to the north; Riverbank Industrial Complex to the east; ranchettes, the Santa Fe Rail Road, and the City of Riverbank to the west; and a church to the southeast. The City of Modesto is located approximately one mile southwest of the project site

RECOMMENDATION

Based on the entirety of the evidence on the record, this staff report and its attachments, and on the General Plan, staff recommends that the Planning Commission recommend the Board of Supervisors approve the project. Exhibit A provides an overview of the findings and actions required for project approval.

PROJECT DESCRIPTION

The project is a request to amend the current General Plan designation of Urban Transition and zoning designation of A-2-10 (General Agriculture) to Planned Development (P-D), for three (3) parcels totaling 20.98± acres, to allow for an existing agricultural trucking business to expand with the addition of an RV storage/parking facility on an adjacent property.

The existing agricultural trucking operation, located at 5101 Claus Road (APN 075-024-009, 8.92 acres), has an office, truck maintenance/repair shop, and several accessory storage buildings. The parcel to the west (APN 075-024-011, 8.65 acres) currently has no structures and is utilized as a part of the existing ag trucking operation for the storage of truck beds.

Brite trucking has been operating on the project site since 1978 and has obtained a number of land use permits as summarized below:

- ZUPA 78-121 – Permitted the agricultural trucking operation, including a 3,200 square foot building for on-site repair and maintenance of trucks (BP#100568);
- SAA 82-07 - Permitted construction of a 2,400 square foot office (BP#113837);
- SAA 84-10 – Permitted expansion of an existing maintenance and repair shop (BP#120752) and construction of a 2,500 square foot truck and tire storage area (BP#120751); and
- UP 88-09 – Permitted 2,000 square foot expansion of the existing truck shelter/tire storage area (BP#139704)

The agricultural trucking operation is permitted for a maximum of 98 trucks during peak harvest season. Currently, during harvest season (July to October), an average of 25 truck trips per day (25 employees) occur, operating 24 hours per day, seven days per week. Non-harvest season consists of one to five truck trips per day, operating 9:00 a.m. to 5:00 p.m., Monday through Friday.

Although no land use authority has been obtained for the RV storage facility, the northern parcel (3912 Davis Avenue, APN 075-024-008, 3.41 acres) currently operates as Leisure RV Storage and contains a mobile home, carport, two sheds, RV storage, a shop, and a portion of the ag trucking operation. The RV storage portion of this parcel is currently fenced. A maximum number of 65 RV's will be stored on-site at any given time throughout the year. Business hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. The RV storage operation includes a maximum of two (2) employees and up to 10 customer visits per day.

If this project is approved, a lot line adjustment is proposed which will extend the north and south property lines to Claus Road, separating the RV parking and agricultural truck parking operations. After the lot line adjustment is completed, APN 075-024-008 (3912 Davis Avenue) will be 3.63 acres in size (an increase of .22 acres) and will contain only the RV storage, mobile home, and accessory structures. APN 075-024-009 (5101 Claus Road) will be adjusted from 8.92 acres to 8.70 acres and will contain only the ag trucking operation, office, shop, and storage structures. (See Exhibit B – *Maps.*)

All three parcels are served by well and septic facilities. The RV storage portion of the project will be required to construct ADA compliant restroom and parking facilities as required by the development standards included with this project. Landscaping will also be installed around the existing RV storage facility perimeter fencing fronting Davis Avenue and Claus Road. No signs were proposed as a part of this project; however, any signs to be proposed in the future must be approved by the City of Riverbank as required by the attached Development Standards. (See Exhibit C – *Development Standards*.)

SITE DESCRIPTION

The existing ag storage operation is located at 5101 Claus Road (APN 075-024-009, 8.92 acres) and the existing RV storage facility and mobile home site are located at 3912 Davis Avenue (APN 075-024-008, 3.41 acres). These parcels are located at the northwest corner of Claribel and Claus Roads, on the south side of Davis Avenue, in the LAFCO adopted City of Riverbank Sphere of Influence (SOI). The majority of the parcels surrounding the project site contain uses which are estate residential, industrial, and recreational in nature. Parcels adjacent to the project site include: Rainbow Fields Sports Complex, ranchettes, and the Oakdale Irrigation District's Langstroth Pond to the south; ranchettes and the City of Riverbank to the north; Riverbank Industrial Complex to the east; ranchettes, the Santa Fe Rail Road, and the City of Riverbank to the west; and a church to the southeast.

ISSUES

A 2,400 square foot shop, located in the southwest corner of the RV storage portion of the project site (APN 075-024-008) has no building permit on record. A development standard has been added to this project which requires that a building permit be obtained for the existing shop within six (6) months and finalized (including obtaining any applicable Certificate of Occupancy) within one (1) year of project approval. (See Exhibit C – *Development Standards*.)

The City of Riverbank did not request any road improvements at this time; however, the city did indicate that they may request road improvements when future development occurs. Specific roadway improvements will depend on the type and intensity of future development which might take place on the property and will include, at a minimum, curb, gutter, sidewalk, and street paving as approved by the City of Riverbank Engineer as well as the County Engineer.

No other issues or concerns have been raised with this project. The business has been operating on this site since 1978. This request will amend the General Plan and zoning designations of the project site to P-D (Planned Development) and will allow the existing business to expand to include RV storage. Development standards have been applied to the project and are required to be completed by the applicant/owner in accordance with the Development Schedule. (See Exhibit C – *Development Standards* and Exhibit D – *Development Schedule*.)

GENERAL PLAN CONSISTENCY

This project requests to amend the site's current General Plan designation of Urban Transition to Planned Development (P-D). To evaluate a proposed General Plan amendment, the goals and policies of the General Plan must be reviewed. The following comparison is made between the goals and policies of the General Plan and the proposed project:

Land Use Element

Goal One - Provide for diverse land use needs by designating patterns which are responsive to the physical characteristics of the land as well as to environmental, economic and social concerns of the residents of Stanislaus County.

Policy 1 - Land will be designated and zoned for agricultural, residential, commercial, industrial, or historical uses when such designations are consistent with other adopted goals and policies of the general plan.

Policy 3 - Land use designations shall be consistent with the criteria established in this element.

The implementation of these policies requires that the criteria described in the DESIGNATIONS section of the Land Use Element be applied. The General Plan identifies the project site as Urban Transition. The purpose of the Urban Transition designation is to ensure that land remains in agricultural usage until urban development consistent with a city's (or unincorporated community's) General Plan designation is approved. Generally, urban development will only occur upon annexation to a city, but such development may be appropriate prior to annexation provided the development is not inconsistent with the land use designation of the General Plan of the affected city. If this is to occur, a change in General Plan designation, consistent with the adopted goals and policies, to some other land use designation shall be required. Under the Planned Development section, the Planned Development designation is intended for land which, because of demonstrably unique characteristics, may be suitable for a variety of uses without detrimental effects on other property.

In this case, the property is located within the City of Riverbank's SOI. The City of Riverbank's General Plan designates the project site as Industrial/Business Park, which is compatible with both the proposed uses and the County General Plan designation of Planned Development. The historic use of the project site for agricultural trucking, and the proximity of the site to the Riverbank Industrial Complex, demonstrates "unique character" which lends itself to a variety of uses appropriate for the Planned Development designation. Project approval is not anticipated to have a detrimental effect on other surrounding properties due to the diversity of land uses surrounding the site and the fact that the City of Riverbank has designated the site within their General Plan as Industrial/Business Park.

Goal Three - Foster stable economic growth through appropriate land use policies.

Policy 17 - Promote diversification and growth of the local economy.

Approval of this project will allow an existing business, operating since 1978, to expand and diversify, which upholds the goals set forth within Policy 17 of the Land Use Element.

Goal Five - Compliment the general plans of cities within the County.

Policy 24 - Development, other than agricultural uses and churches, which requires discretionary approval and is within the sphere of influence of cities or in areas of specific designation created by agreement (e.g., Sperry Avenue and East Las Palmas Corridors), shall not be approved unless first approved by the city within whose sphere of influence it lies or by the city for which areas of specific designation were agreed. Development requests within the spheres of influence or areas of specific designation of any incorporated city shall not be approved unless the development is consistent with agreements with the cities which are in effect at the time of project consideration. Such

development must meet the applicable development standards of the affected city as well as any public facilities fee collection agreement in effect at the time of project consideration. (Comment: This policy refers to those development standards that are transferable, such as street improvement standards, landscaping, or setbacks. It does not always apply to standards that require connection to a sanitary sewer system, for example, as that is not always feasible.)

As previously stated, the project site is located within the City of Riverbank's SOI. The Implementation Measures for Policy 24 require that all discretionary development proposals within the SOI, or areas of specific designation of a city, shall be referred to that city to determine whether or not the proposal shall be approved and whether it meets its development standards. Currently, the project site is designated Industrial/Business Park (I/BP) in the City of Riverbank General Plan. The City of Riverbank reviewed the project and provided comments stating that "the proposed use as stated with the County application is consistent with uses contemplated by the Riverbank General Plan." Further, the city's comment letter stated that the application was presented to the Riverbank Planning Commission on May 22, 2014, and no concerns were expressed.

Agricultural Element

Objective No. 1.3 - Minimizing agricultural conflicts.

Policy 1.10 - The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.

Buffer and Setback Guidelines (Appendix A of the Agricultural Element) requires new or expanding uses approved in or adjacent to the A-2 (General Agriculture) zoning district to provide a 150 foot setback for non-people intensive uses and a 300 foot wide buffer setback for people intensive outdoor activities. An alternative buffer and setback plan may be proposed by a project applicant. The alternative is referred to the Stanislaus County Agricultural Commissioner as part of the planning review process. The Planning Commission shall consider the Agricultural Commissioner's referral response in making a determination on the proposed alternative. In order to approve a buffer alternative, the Planning Commission must find that the alternative buffer will provide equal or greater protection to surrounding agricultural uses.

The proposed trucking and RV storage operation has minimal people on-site and, therefore, would be subject to the 150 foot buffer standard. All of the parcels located within 150 feet of the project site's boundaries contain "permitted uses within a buffer area" (including a sports complex, an industrial complex, ranchettes, a church, roads, and irrigation district infrastructure). The project is not required to provide any additional buffers in accordance with the guidelines contained within Appendix A of the Agricultural Element of the General Plan. This project was referred to the Agricultural Commissioner through the environmental review process and no response was received.

In order to take affirmative action regarding the General Plan amendment application, it must be found that:

1. The General Plan amendment will maintain a logical land use pattern without detriment to existing and planned land uses;

2. The County and other affected government agencies will be able to maintain levels of service consistent with the ability of the government agencies to provide a reasonable level of service; and
3. The amendment is consistent with the General Plan goals and policies.

Due to the fact that the trucking operation has existed on this site for 36 years and is consistent with the city of Riverbank's General Plan designation of Industrial/Business Park, and due to the character of the surrounding properties being a mix of residential, industrial, and recreational, staff believes these findings can be made.

ZONING ORDINANCE CONSISTENCY

In order to approve the requested rezone, the Planning Commission must find that the proposed P-D zoning is consistent with the General Plan designation of Planned Development for the proposed project site. The Land Use Element of the General Plan states that the P-D zone is consistent with the Planned Development General Plan designation provided a specific development plan is developed which takes into consideration the nature and location of the proposed planned development and determines building intensity and population density on an individual basis.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposed project was circulated to all interested parties and responsible agencies for review and comment and no significant issues were raised. (See Exhibit G - *Environmental Review Referrals*.) A Negative Declaration has been prepared for approval prior to action on the map itself as the project will not have a significant effect on the environment. (See Exhibit F - *Negative Declaration*.) Development standards reflecting referral responses have been placed on the project. (See Exhibit C - *Development Standards*.)

Note: Pursuant to California Fish and Game Code Section 711.4, all project applicants subject to the California Environmental Quality Act (CEQA) shall pay a filing fee for each project; therefore, the applicant will further be required to pay **\$2,238.25** for the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and the Clerk Recorder filing fees. The attached Conditions of Approval ensure that this will occur.

Contact Person: Kristin Doud, Associate Planner, (209) 525-6330

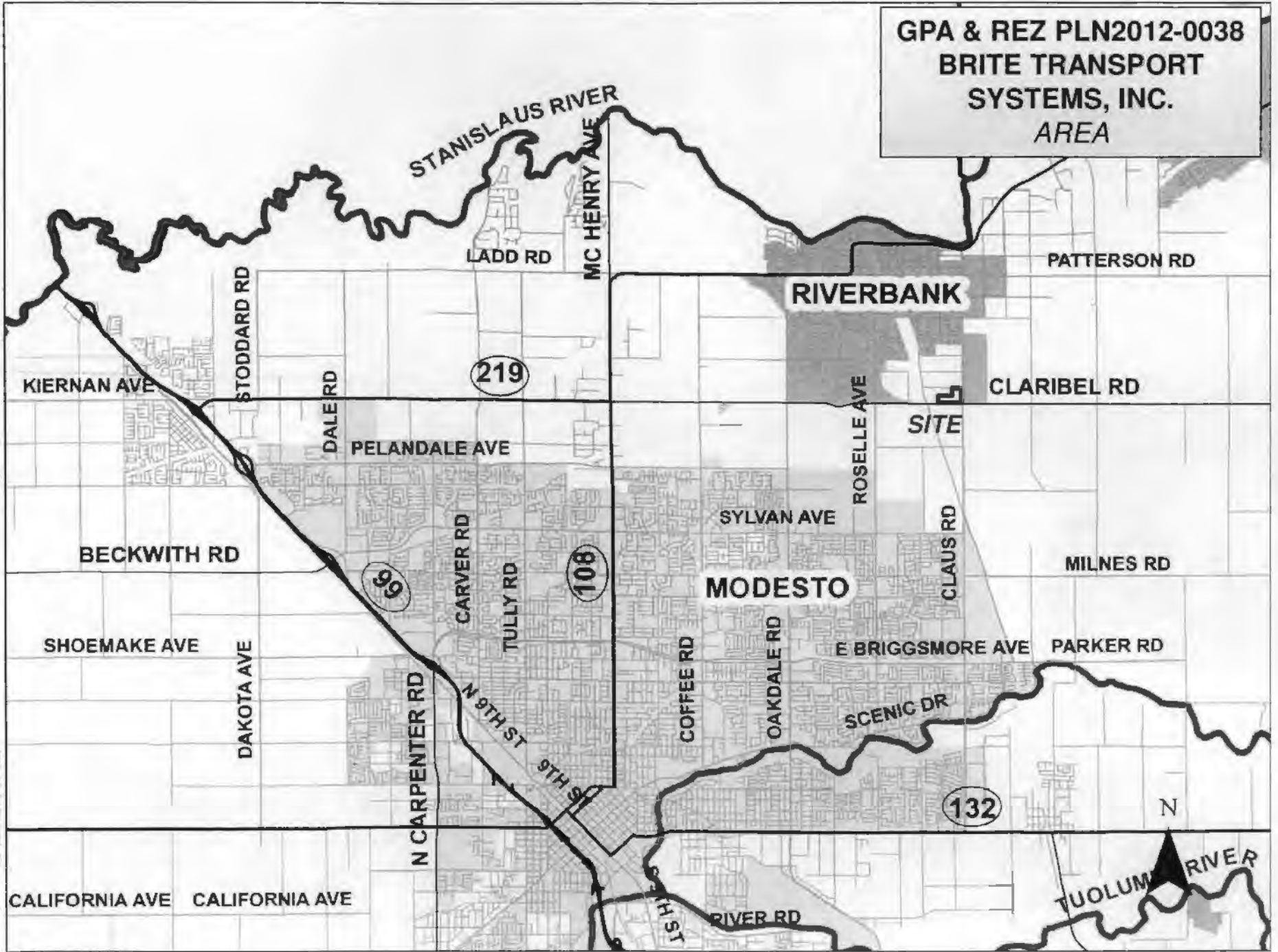
Attachments:

- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps
- Exhibit C - Development Standards
- Exhibit D - Development Schedule
- Exhibit E - Initial Study and Initial Study Comments
- Exhibit F - Negative Declaration
- Exhibit G - Environmental Review Referrals

Exhibit A
Findings and Actions Required for Project Approval

1. Adopt the Negative Declaration pursuant to CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgment and analysis;
2. Order the filing of a Notice of Determination with the Stanislaus County Clerk Recorder pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075;
3. Find That:
 - A. The General Plan amendment will maintain a logical land use pattern without detriment to existing and planned land uses;
 - B. The County and other affected government agencies will be able to maintain levels of service consistent with the ability of the government agencies to provide a reasonable level of service;
 - C. The amendment is consistent with the General Plan goals and policies;
 - D. The proposed Planned Development zoning is consistent with the Planned Development General Plan designation;
 - E. The project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements; and
4. Approve General Plan Amendment and Rezone Application No. PLN2012-0038 – Brite Transport Systems, Inc. and introduce, waive the reading, and adopt an ordinance for the Rezone.

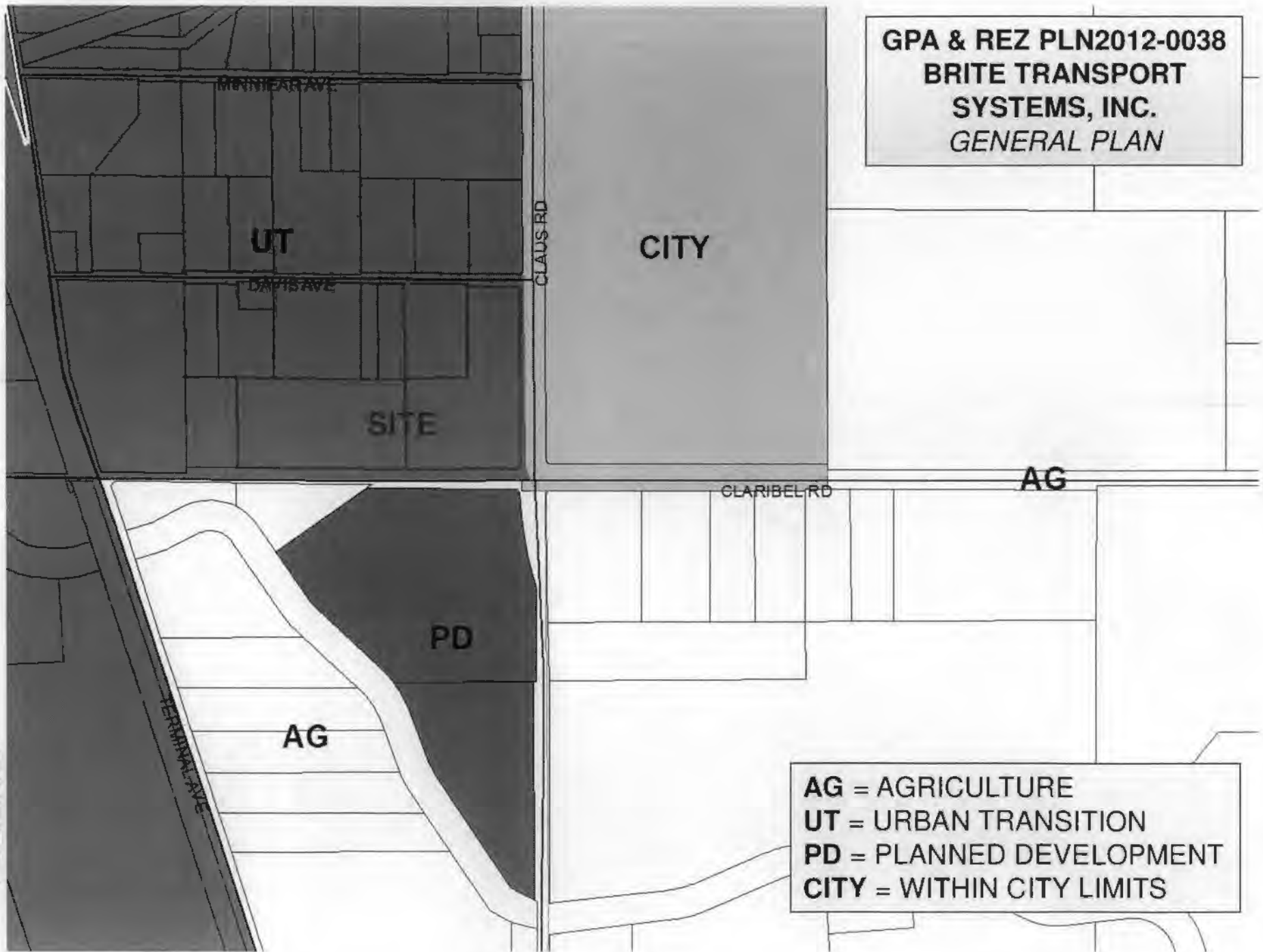
GPA & REZ PLN2012-0038
BRITE TRANSPORT
SYSTEMS, INC.
AREA



8

EXHIBIT B

**GPA & REZ PLN2012-0038
BRITE TRANSPORT
SYSTEMS, INC.
GENERAL PLAN**



**AG = AGRICULTURE
UT = URBAN TRANSITION
PD = PLANNED DEVELOPMENT
CITY = WITHIN CITY LIMITS**

EXHIBIT B-1

GPA & REZ PLN2012-0038
BRITE TRANSPORT
SYSTEMS, INC.
ZONING DESIGNATION

CITY

A-2-40

A-2-10

MIRNIEAR AVE

DAVIS AVE

CLAUS RD

SITE

GLARIBEL RD

PD (49)

A-2-40

A-2-40

PD (163)

A-2-10

HERMINEY AVE

A-2-40 = GENERAL AGRICULTURE (40 acre minimum)
A-2-10 = GENERAL AGRICULTURE (10 acre minimum)
PD = PLANNED DEVELOPMENT
CITY = WITHIN CITY LIMITS

10

EXHIBIT B-2

**GPA & REZ PLN2012-0038
BRITE TRANSPORT
SYSTEMS, INC.
ACREAGE**



11

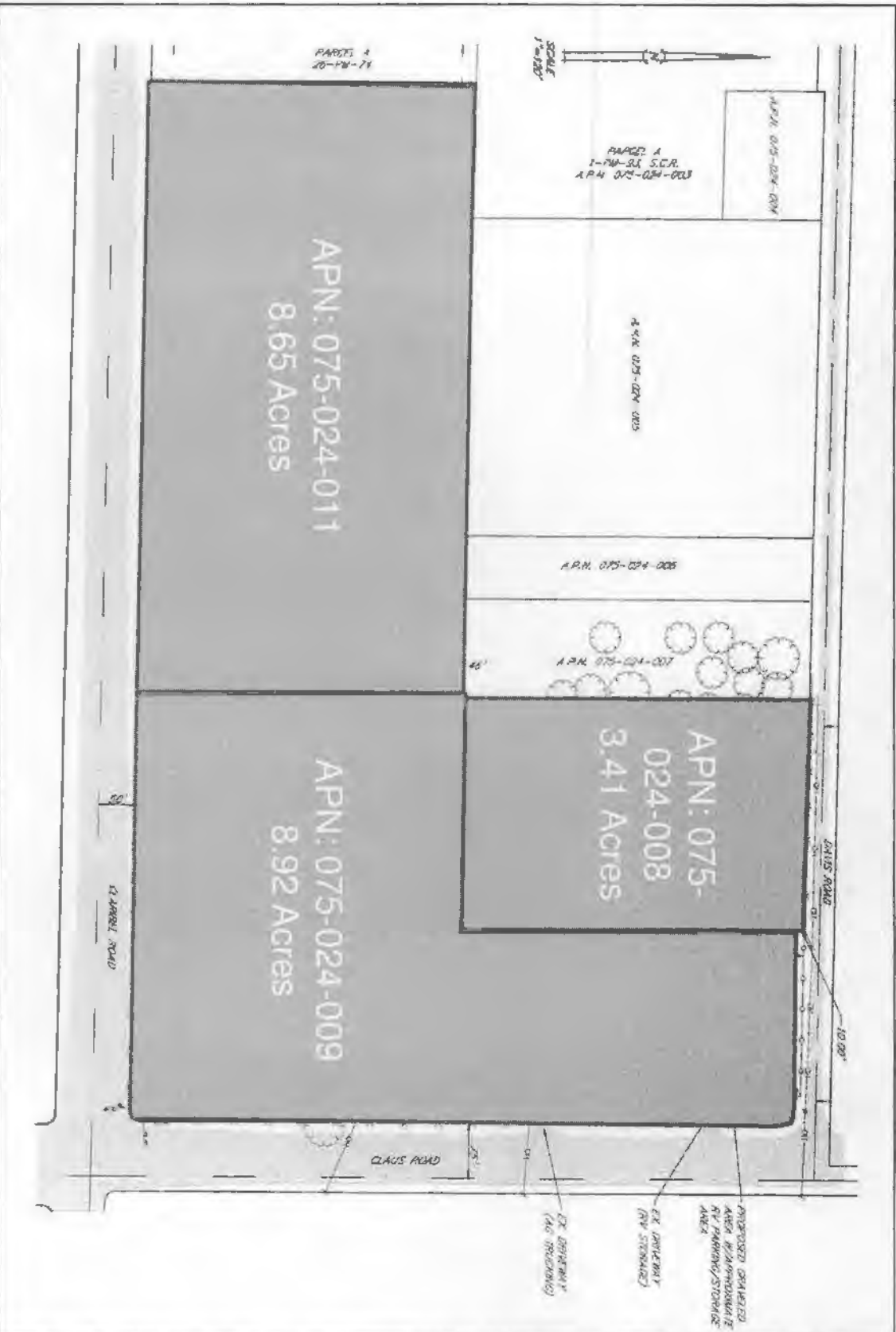
EXHIBIT B-3

31.5



GPA & REZ PLN2012-0038
BRITE TRANSPORT
SYSTEMS, INC.
2008 AERIAL

GPA & REZ PLN2012-0038 - BRITE TRANSPORT SYSTEMS, INC.
Parcels Before Lot Line Adjustment

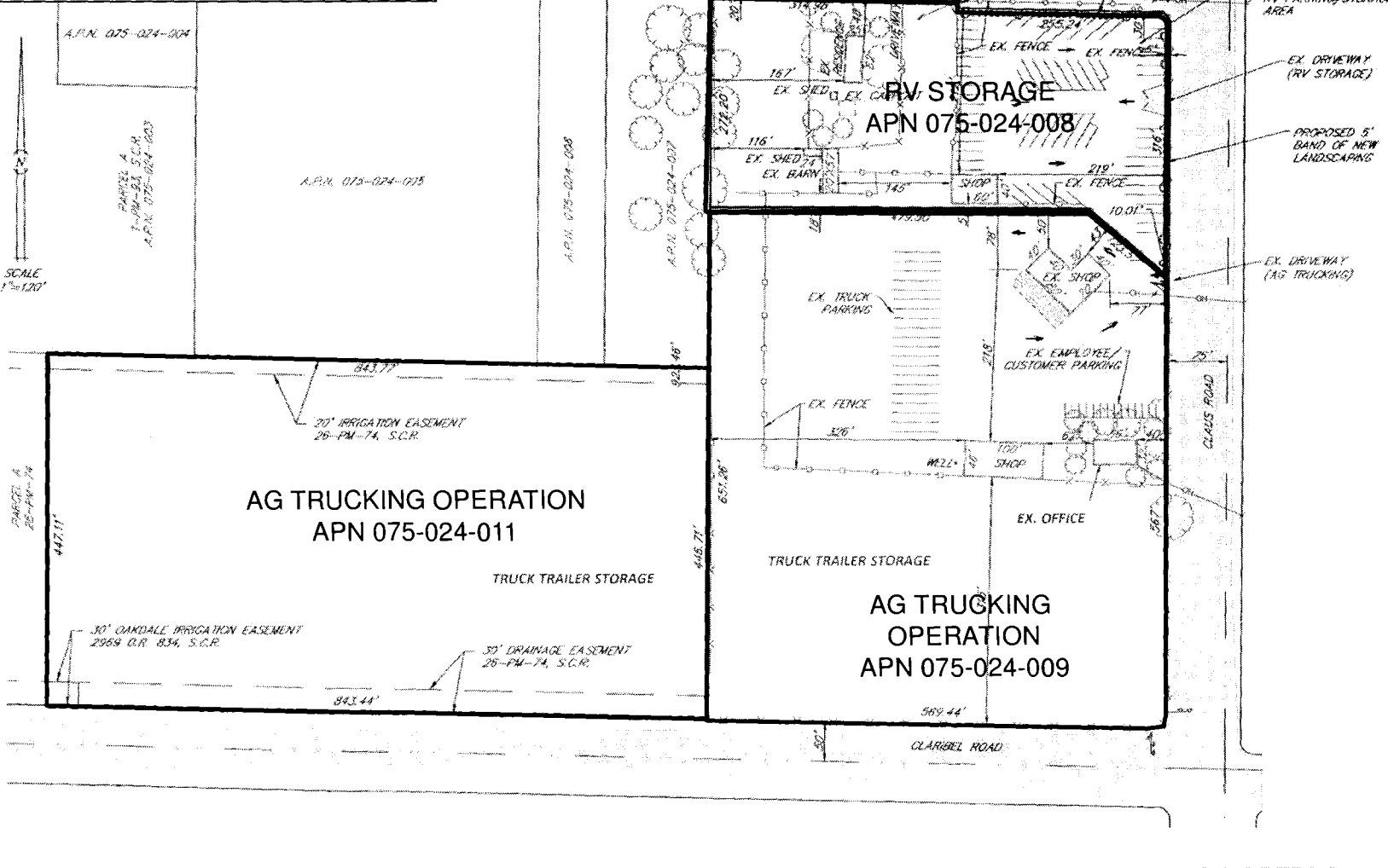


HAWKINS & ASSOCIATES ENGINEERING, INC.
 406 MITCHELL ROAD
 MODOesto, CA 95354
 PH: (925) 575-4295
 FX: (925) 578-4295

**GENERAL PLAN AMENDMENT
 REZONE PLOT PLAN**
**5101 CLAVIS ROAD
 STANISLAUS COUNTY, CALIFORNIA**

BY:	SCR
CHK:	KJC
DATE:	12/25/12
SCALE:	1"=100'
JOB #:	2012
PLN #:	12038

GPA & REZ PLN2012-0038
BRITE TRANSPORT
SYSTEMS, INC.
SITE PLAN
 (with Lot Lined Parcels)



BPT: _____ CHK: _____ DATE: _____ SCALE: _____ JOB # 3572 FILE 1548	GENERAL PLAN AMENDMENT CONCEPTUAL LANDSCAPE EXHIBIT 5101 CLAUS ROAD STANISLAUS COUNTY, CALIFORNIA	HAWKINS & ASSOCIATES ENGINEERING, INC. 48 MITCHELL ROAD MCKINLEY, CA 95864 PH: (916) 332-4697 FAX: (916) 332-4695
1 OF 1		

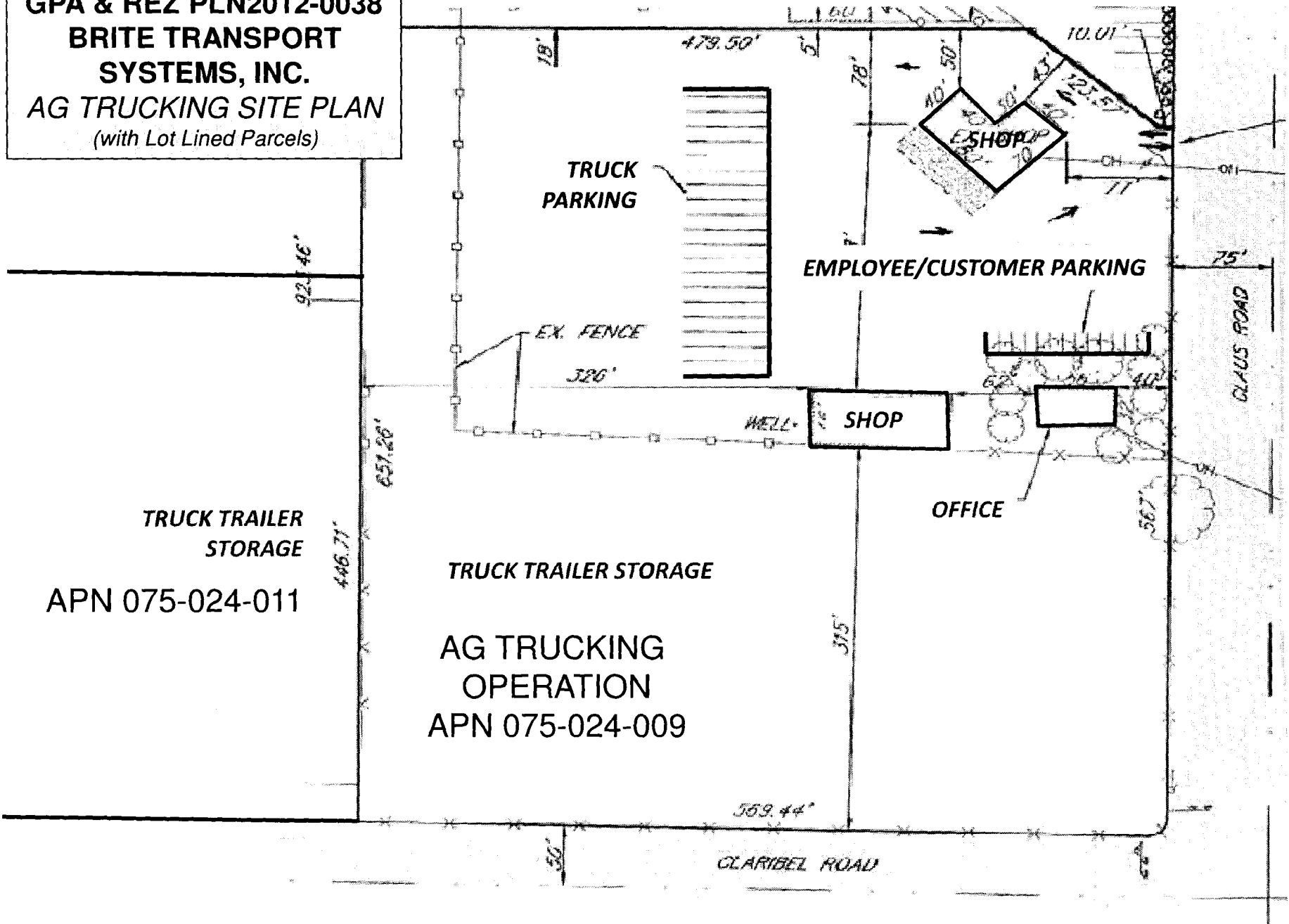
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EXHIBIT B-7

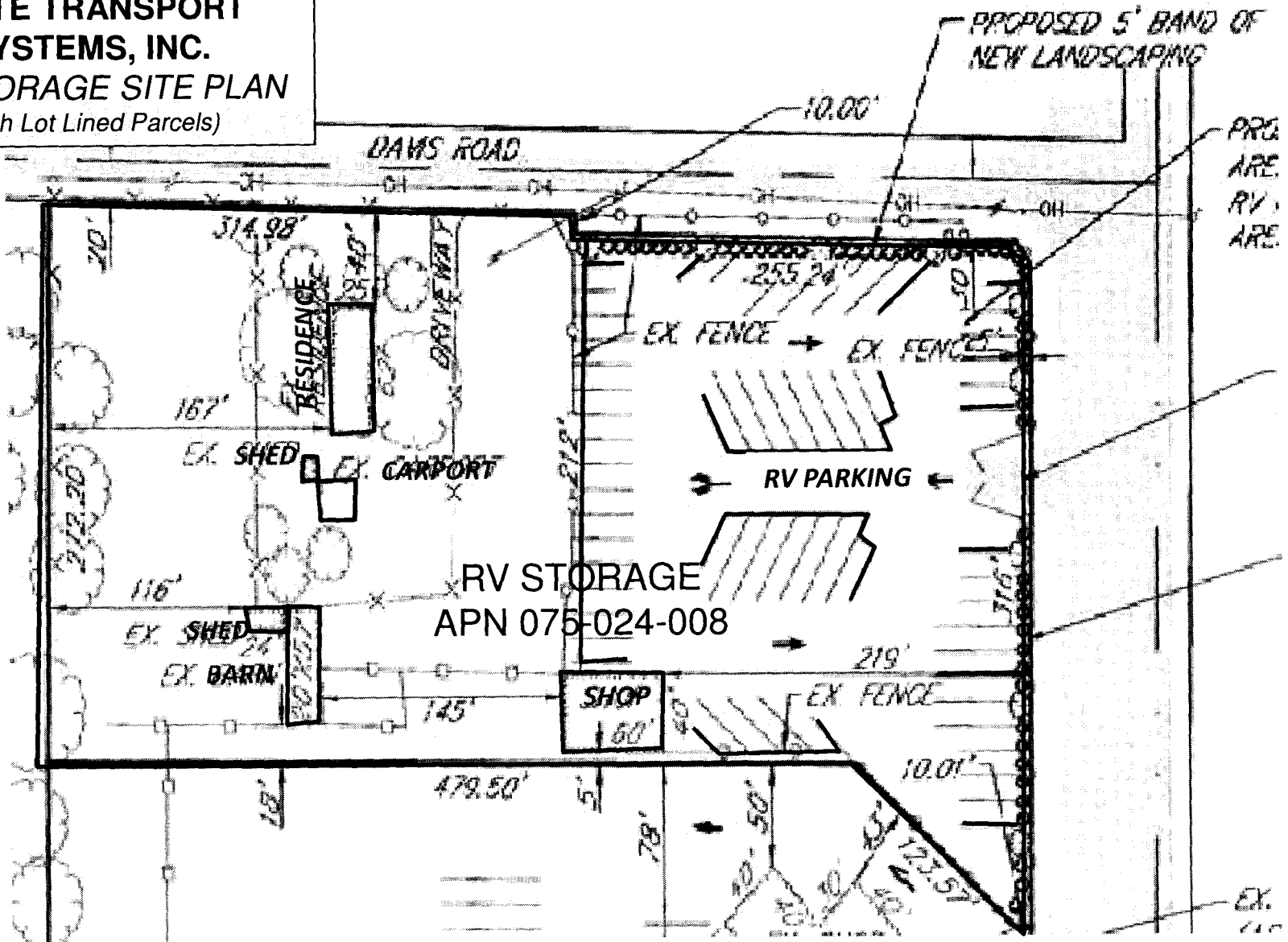
GPA & REZ PLN2012-0038
BRITE TRANSPORT
SYSTEMS, INC.
AG TRUCKING SITE PLAN
(with Lot Lined Parcels)

16

EXHIBIT B-8



GPA & REZ PLN2012-0038
BRITE TRANSPORT
SYSTEMS, INC.
RV STORAGE SITE PLAN
 (with Lot Lined Parcels)



DEVELOPMENT STANDARDS

GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2012-0038 BRITE TRANSPORT SYSTEMS, INC.

Department of Planning and Community Development

1. Use(s) shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances.
2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2014), the applicant is required to pay a California Department of Fish and Wildlife (formerly the Department of Fish and Game) fee at the time of filing a "Notice of Determination". Within five (5) days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for **\$2,238.25**, made payable to **Stanislaus County**, for the payment of California Department of Fish and Wildlife and Clerk Recorder filing fees.

Pursuant to Section 711.4 (e) (3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.
3. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The fees shall be payable at the time of issuance of a building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.
4. The applicant/owner is required to defend, indemnify, or hold harmless the County, its officers, and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
5. All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include, but not be limited to, the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties).
6. During the construction phases of the project, if any human remains, significant or potentially unique, are found, all construction activities in the area shall cease until a qualified archeologist can be consulted. Construction activities shall not resume in the area until an on-site archeological mitigation program has been approved by a qualified archeologist.
7. Pursuant to Section 404 of the Clean Water Act, prior to construction, the developer shall be responsible for contacting the US Army Corps of Engineers to determine if any "wetlands," "waters of the United States," or other areas under the jurisdiction of the Corps of Engineers

- are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from the Corps, including all necessary water quality certifications, if necessary.
8. Any construction resulting from this project shall comply with standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD) and may be subject to additional regulations/permits, as determined by the SJVAPCD.
 9. A sign plan for all proposed on-site signs indicating the location, height, area of the sign(s), and message must be approved by the City of Riverbank and a Building Permit obtained through Stanislaus County prior to installation.
 10. Pursuant to Sections 1600 and 1603 of the California Fish and Game Code, prior to construction, the developer shall be responsible for contacting the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and shall be responsible for obtaining all appropriate streambed alteration agreements, permits, or authorizations, if necessary.
 11. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Recorder's Office within 30 days of project approval. The Notice includes: Conditions of Approval/Development Standards and Schedule; any adopted Mitigation Measures; and a project area map.
 12. Pursuant to the federal and state Endangered Species Acts, prior to construction, the developer shall be responsible for contacting the US Fish and Wildlife Service and California Department of Fish and Wildlife (formerly the Department of Fish and Game) to determine if any special status plant or animal species are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from these agencies, if necessary.
 13. Pursuant to State Water Resources Control Board Order 99-08-DWQ and National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002, prior to construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if a "Notice of Intent" is necessary, and shall prepare all appropriate documentation, including a Storm Water Pollution Prevention Plan (SWPPP). Once complete, and prior to construction, a copy of the SWPPP shall be submitted to the Stanislaus County Department of Public Works.
 14. Should any archeological or human remains be discovered during development, work shall be immediately halted within 150 feet of the find until it can be evaluated by a qualified archaeologist. If the find is determined to be historically or culturally significant, appropriate mitigation measures to protect and preserve the resource shall be formulated and implemented. The Central California Information Center shall be notified if the find is deemed historically or culturally significant.
 15. Prior to the issuance of any building or grading permit associated with this project, or within 90 days of the approval of the project, whichever comes first, Lot Line Adjustment Application No. PLN2012-0004 – Lindsey - Brite Transportation shall be recorded.
 16. Prior to issuance of a building permit on the RV storage site (APN 075-024-008), a final landscape plan prepared in accordance with Section 21.102 of the Stanislaus County

Zoning Ordinance and consistent with the site plan approved with this project, shall be submitted and approved by the Stanislaus County Planning and Community Development Department. Prior to final of a building permit on the RV storage site (APN 075-024-008), a landscape inspection must be completed and passed by the Stanislaus County Department of Planning and Community Development.

17. The applicant, or subsequent property owner, shall be responsible for maintaining landscape plants in a healthy and attractive condition. Dead or dying plants shall be replaced with materials of equal size and similar variety. Any dead trees shall be replaced with a similar variety of a 15-gallon size or larger.
18. Any approved business (current & future) operating on-site shall obtain and maintain a valid business license. Application may be made with the Planning Department. (Section 6.04 of the Stanislaus County Ordinance Code)

Department of Public Works

19. The applicant shall obtain an encroachment permit prior to any work being done in the Stanislaus County road right-of-way.
20. Public Works shall approve the location and width of any new driveway approaches on any County maintained roadway.
21. Within six (6) months of project approval, a grading and drainage plan for the entire project site shall be submitted to the Department of Public Works for review and approval. The grading and drainage plan shall include the following information:
 - A. Drainage calculations shall be prepared as per the Stanislaus County Standards and Specifications that are current at the time the permit is issued.
 - B. The plan shall contain enough information to verify that all runoff will be kept from going onto adjacent properties and the Stanislaus County road right-of-way.
 - C. The grading and drainage plan shall comply with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit and Stanislaus County's MS4 Phase 2 Storm Water Management Program.
 - D. An Engineer's Estimate shall be submitted for the grading and drainage work.
 - E. The grading, drainage, and associated work shall be accepted by Stanislaus County Public Works prior to a final inspection or occupancy, as required by the building permit.
 - F. The area of the site where fill has been placed shall be included in the grading plan. The changes to the drainage pattern shall be included in the grading and drainage plan. This area of the grading plan shall show the site pre-fill and where and how the drainage worked and then the plan shall show existing site as it is today and how the existing drainage works.
22. The applicant of the building permit shall pay the current Stanislaus County Public Works weighted labor rate for all on-site inspections. A preliminary Engineer's Estimate for the

grading and drainage work shall be submitted to determine the amount of deposit for the inspection of the grading. The deposit shall be made prior to the issuance of the building permit. The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site. The Public Works inspector will not sign on the grading or building permit until such time that all inspection fees have been paid. Any fees left over from the deposit shall be returned to the applicant at the completion and acceptance of the grading and drainage construction by Stanislaus County Public Works.

23. Claribel Road is in the City of Riverbank Sphere of Influence and General Plan boundaries. The required ½ width for the City of Riverbank on Claribel Road is 67.5-feet north of the roadway centerline on Claribel Road along the project's frontage. If 67.5-feet of the road right-of-way north of the roadway centerline do not exist, then the remainder 67.5-feet shall be dedicated with an Irrevocable Offer of Dedication. The Irrevocable Offer of Dedication shall be submitted to Public Works prior to the issuance of any building or grading permit associated with this project or within 90 days of the approval of the project, whichever comes first.
24. Davis Avenue is classified as a 2-lane 60-foot Local roadway. The required 1/2 width is 30-feet south of the roadway centerline on Davis Avenue along the project's frontage. If 30-feet of the road right-of-way south of the roadway centerline do not exist, then the remainder 30-feet shall be dedicated with an Irrevocable Offer of Dedication. The Irrevocable Offer of Dedication shall be submitted to Public Works prior to the issuance of any building or grading permit associated with this project or within 90 days of approval of the project, whichever comes first.
25. No parking, loading, or unloading of vehicles shall be permitted within the county road right-of-way.
26. Vehicular access will not be allowed from Claribel Road. All traffic entering to or exiting from Assessor's Parcel Number 075-024-011 shall utilize the existing access on parcel 075-024-009.
27. Prior to the issuance of any building or grading permit associated with this project, or within 90 days of the approval of the project, whichever comes first, an Irrevocable Access Easement to provide access between Assessor's Parcel Number 075-024-011 and Assessor's Parcel Number 075-024-009, to be reviewed and approved by the Department of Public Works, shall be recorded.

City of Riverbank

28. Applicant/Owner shall prepare, execute, and have recorded an irrevocable offer of dedication of Right of Way in favor of the Public to accomplish a minimum right of way of 50 feet along Claus Road and 67.5 feet along Claribel Road.

Department of Environmental Resources

29. The Water System may now become a public water system as defined by California Health and Safety Code (CA HSC) Section 116275 and Title 22 California Code of Regulations (CCR) Sections 64400.10, 64400.80, 64401.85. Prior to issuance of any building or grading permit, the property owner/applicant shall certify to Stanislaus County Department of Environmental Resources (the Department) that: the property use does or will not constitute

a public water system, or submit a public water supply permit application (CA HSC 116525) to the Department accompanied by a public water system technical report (CA HSC 116530), financial and managerial and technical information (CA HSC 116540), and obtain a public water supply permit to operate the public water system (CA HSC Sections 116525, 116530, 116540, 116550).

30. At time the Leisure RV storage business expands by proposing new additional structures, this business will be subject to Measure X for the onsite wastewater treatment system. On-site wastewater disposal system (OWTS) shall be by individual Primary and Secondary wastewater treatment units.
31. The Recreational Vehicles will be allowed to be parked/stored at the proposed property without any utilities connection.
32. Protective measures should be applied to any on-site storm drains, or to the site itself, to prevent hazardous materials and hazardous waste contamination from entering the storm drain system.

Building Permits Division

33. Building permits are required and the project must conform with the California Code of Regulations, Title 24.
34. Within six (6) months of project approval, a building permit shall be obtained for the existing 2,400 square foot shop, located in the southwest corner of Assessor's Parcel Number 075-024-009, accessible on-site restroom facilities, and accessible parking accommodations. All permits shall be finalized and any applicable Certificate of Occupancy obtained within one (1) year of project approval.

Stanislaus Consolidated Fire Protection District

35. RV and agricultural truck parking operation shall comply with all applicable fire code requirements and standards.
36. Fire Protection Water Supply and fire apparatus access, per the California Fire Code, as amended by Stanislaus Consolidated Fire Protection District, shall be provided.

Oakdale Irrigation District

37. Prior to issuance of a building or grading permit, property owner/applicant shall apply for disconnection from OID irrigation service.

Central Valley Regional Water Quality Control Board (RWQCB)

38. Prior to issuance of a building or grading permit, the Central Valley Regional Water Quality Control Board shall be consulted to obtain any necessary permits.
39. Dischargers whose projects disturb one or more acres of soil, or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit),

Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, and disturbances to the ground such as stockpiling or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

40. This project may require Phase I and II MS4 permits which require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component.
41. Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 97-03-DWQ.
42. If this project involves the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the California Department of Fish and Wildlife for information on Streambed Alteration Permit requirements.
43. If a USACOE permit, or any other federal permit, is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.
44. If USACOE determines that only non-jurisdictional waters of the State (i.e. "non-federal" waters of the State) are present in the proposed project area, the proposed project will require a Waste Discharge Requirement (WDR) permit to be issued by the Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.
45. If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

San Joaquin Valley Air Pollution Control District (SJVAPCD)

46. The proposed project shall comply with District Rule 9510 (Indirect Source Review). Prior to building permit issuance, the applicant shall submit an Air Impact Assessment (AIA) application and pay any applicable off-site mitigation fees.
47. The proposed project may be subject to District Rules and Regulations, including Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving, and Maintenance Operations). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance office. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

*Please note: If Conditions of Approval/Development Standards are amended by the Planning Commission or Board of Supervisors, such amendments will be noted in the upper right-hand corner of the Conditions of Approval/Development Standards; new wording is in **bold**, and deleted wording will have a ~~line through it~~.*

DEVELOPMENT SCHEDULE

GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2012-0038 BRITE TRANSPORT SYSTEMS, INC.

- Within six (6) months of project approval, a building permit shall be obtained on APN 075-024-008 (RV storage operation) for ADA compliant restroom and parking and for the existing 2,400 square foot shop;
- Within one (1) year of project approval, a building permit shall be finalized and any applicable Certificate of Occupancy obtained on APN 075-024-008 (RV storage operation) for ADA compliant restroom and parking and for the existing 2,400 square foot shop;
- Within six (6) months of project approval, a grading and drainage plan for the entire project site shall be submitted to the Department of Public Works for review and approval;
- Prior to the issuance of any building or grading permit associated with this project, or within 90 days of the approval of the project, whichever comes first, an Irrevocable Access Easement shall be recorded in accordance with Development Standard No. 27; and
- Prior to the issuance of any building or grading permit associated with this project, or within 90 days of the approval of the project, whichever comes first, Lot Line Adjustment Application No. PLN2012-0004 – Lindsey - Brite Transportation shall be recorded.



Stanislaus County Planning and Community Development

1010 10th Street, Suite 3400
Modesto, California 95354

Phone: (209) 525-6330
Fax: (209) 525-5911

CEQA INITIAL STUDY

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, December 30, 2009

1. **Project title:** General Plan Amendment and Rezone Application No. PLN2012-0038 - Brite Transport Systems, Inc.
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Kristin Doud, Associate Planner
(209) 525-6330
4. **Project location:** 5101 Claus Road, at the northwest corner of Claribel and Claus Roads, on the south side of Davis Avenue, in the City of Riverbank Sphere of Influence. APN: 075-024-008, 009, and 011
5. **Project sponsor's name and address:** Brite Transport Systems, Inc.
5101 Claus Road
Modesto, CA 95355
6. **General Plan designation:** UT (Urban Transition)
7. **Zoning:** A-2-10 (General Agriculture)
8. **Description of project:**

Request to amend the current General Plan and zoning designations of three (3) parcels totaling 20.98± acres to Planned Development to expand an existing agricultural trucking business to include an RV storage/parking facility on an adjacent property. The applicant is proposing RV parking on the north parcel and to continue with the existing agricultural truck parking on the south parcel. The agricultural truck parking has been allowed on this site since 1978 (UP 78-121). The existing operation has an office, truck maintenance/repair shop, and several accessory storage buildings. The parcel to the west includes storage of truck beds utilized during harvest season for the agricultural trucking operation. If this project is approved, a lot line adjustment is proposed which will adjust the north and south property lines to separate the RV parking and agricultural truck parking operations. The site is served by well and septic facilities.
9. **Surrounding land uses and setting:** Rainbow Fields Sports Complex, ranchettes, and the Oakdale Irrigation District's Langstroth Pond to the south; ranchettes and the City of Riverbank to the north; Riverbank Industrial Complex to the east; and ranchettes, the Santa Fe Rail Road, and the City of Riverbank to the west. The city of Modesto is located approximately one mile southwest of the project site.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Department of Public Works
Department of Environmental Resources
Modesto Regional Fire Authority
City of Riverbank

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Kristin Doud, Associate Planner
Prepared By _____

April 30, 2014
Date _____

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration.

Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

- a) **Earlier Analysis Used.** Identify and state where they are available for review.
 - b) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) **Mitigation Measures.** For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
 - 7) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
 - 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
 - 9) The explanation of each issue should identify:
 - a) the significant criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

ISSUES

I. AESTHETICS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
<p>Discussion: The site itself is not considered to be a scenic resource or a unique scenic vista. Although the applicant does not currently have approval to operate RV storage on the subject parcel, it is an existing use. The RV storage and truck parking portions of the project site are currently fenced and the application proposes a five foot strip of landscaping, to be placed on the interior of the existing fencing, along the north and east fence of the RV storage operation, along Claus and Davis Roads. Conditions of approval will be applied to the project that require that dead or dying plants be replaced as well as that nighttime lighting be aimed downward to prevent glare to adjacent properties.</p>				
<p>Mitigation: None.</p>				
<p>References: Stanislaus County General Plan and Support Documentation¹.</p>				
II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	

<p>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p>			<p>X</p>	
<p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p>				<p>X</p>
<p>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</p>			<p>X</p>	

Discussion: The project site has a General Plan designation of Urban Transition (UT) and a zoning designation of A-2-10 (General Agriculture). The site is designated in the City of Riverbank's General Plan as Industrial/Business Park. The project site is not currently enrolled in the Williamson Act. The State Department of Conservation's Farmland Mapping and Monitoring Program designates the project site as half "Vacant or Disturbed Land" and half "Urban and Built-Up Land". The majority of the project site is made up of non-prime Grade 4, Madera sandy loam (MdA), with 0-2% slopes and a Storie Index Rating of 30. The remaining portions of the project site are made up of non-prime Grade 4, San Joaquin sandy loam (SaA), with 0-3% slopes and a Storie Index Rating of 24. The main operation contains an office, several accessory buildings used for storage, a house, truck parking, and RV storage. The western 8.6 acres of the project site are not currently farmed and contain a number of truck beds utilized during harvest season in conjunction with the trucking portion of the operation.

In order to take affirmative action regarding the General Plan amendment application, it must be found that the proposed project will maintain a logical land use pattern without detriment to existing and planned land uses. The majority of the parcels surrounding the project site are estate residential, industrial, and recreational in nature. The parcels adjacent to the project site include: Rainbow Fields Sports Complex, the Oakdale Irrigation District's Langstroth Pond, and a 1.38 acre ranchette to the south; the Riverbank Industrial Complex to the east; and residential within the City of Riverbank limits and ranchettes with a general plan designation of Urban Transition are situated to the north and west. Of the surrounding properties (within a half mile radius of the site) that have a General Plan and zoning designation of Agriculture: 21 parcels are under 10 acres in size (of those, three are currently enrolled in the Williamson Act); four parcels are between 10-20 acres in size (of those, three are currently enrolled in the Williamson Act); and six parcels are more than 20 acres in size (of those, five are enrolled in the Williamson Act). All 11 parcels still enrolled in the Williamson Act within a half mile radius of the site are located south and east of the project, separated by the Rainbow Fields Sports Complex and the Riverbank Industrial Complex. (See project maps attached.)

In December of 2007, Stanislaus County adopted an updated Agricultural Element which incorporated guidelines for the implementation of agricultural buffers applicable to new and expanding non-agricultural uses within or adjacent to the A-2 Zoning District. The purpose of these guidelines is to protect the long-term health of agriculture by minimizing conflicts resulting from the interaction of agricultural and non-agricultural uses. Buffer guidelines require any new or expanding use approved by a discretionary permit in the A-2 zoning district to incorporate a buffer to minimize conflicts between agricultural and nonagricultural uses. All projects shall incorporate a minimum 150 foot wide buffer setback, or 300 feet for people-intensive outdoor activities. The proposed trucking and RV storage operation has minimal people on-site and, therefore, would be subject to the 150 foot buffer standard. All of the parcels located within 150 feet of the project site's boundaries contain "permitted uses within a buffer area" (including a sports complex, an industrial complex, ranchettes, a church, roads, and irrigation district infrastructure). The project is not required to provide any additional buffers in accordance with the guidelines contained within Appendix A of the Agricultural Element of the General Plan.

Based on the analysis above, it does not appear that this project has the potential to have a negative impact on agricultural resources. No forest resources exist in the area. This project was circulated to the Stanislaus County Ag Commissioner and the Stanislaus County Farm Bureau during the early consultation referral period and no comments were received.

Mitigation: None.

References: California Farmland Mapping and Monitoring program data; USDA Natural Resources Conservation Service Soil Survey data; and the Stanislaus County General Plan and Support Documentation¹.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

Discussion: The project site is within the San Joaquin Valley Air Basin, which has been classified as "severe non-attainment" for ozone and respirable particulate matter (PM-10) as defined by the Federal Clean Air Act. The San Joaquin Valley Air Pollution Control District (SJVAPCD) has been established by the State in an effort to control and minimize air pollution. As such, the District maintains permit authority over stationary sources of pollutants.

The primary source of air pollutants generated by this project would be classified as being generated from "mobile" sources. Mobile sources would generally include dust from roads and automobile exhausts. Mobile sources are generally regulated by the Air Resources Board of the California EPA which sets emissions for vehicles and acts on issues regarding cleaner burning fuels and alternative fuel technologies. As such, the District has addressed most criteria air pollutants through basin wide programs and policies to prevent cumulative deterioration of air quality within the Basin.

The existing agricultural trucking operation includes 25 trucks on-site; however, the current Use Permit allows for up to 98 trucks to be parked on-site during peak harvest season. During harvest season (July to October), there are upwards of 25 truck trips per day. Non-harvest season consists of one to five truck trips per day. During harvest season, the hours of operation are 24 hours per day, seven days per week, employing 25 people. During non-harvest season, the hours of operation are eight hours per day (9:00 a.m. to 5:00 p.m.), Monday through Friday. A maximum number of 65 RVs will be stored on-site at any given time throughout the year. Business hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. The RV storage operation includes a maximum of two (2) employees and up to 10 customer visits per day. No construction is proposed as part of this application; however, the site currently contains a 2,400 square foot shop on the RV parking operation that does not have a building permit. A building permit must be obtained for this storage structure as a condition of approval.

A referral response from the SJVAPCD indicated that "the general plan amended and the rezoning of land will not have an impact on air quality. However, if approved, future development will contribute to the overall decline in air quality due to construction activities, increased traffic, and ongoing operational emissions." The SJVAPCD's response letter went on to suggest that future development may require further environmental review and mitigation and may be subject to the District's rules and regulations, including but not limited to, Rule 9510 (Indirect Source Review), Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations), and Rule 4002 (National Emissions Standards for Hazardous Air Pollutants).

A standard condition of approval will be applied to the project which requires the applicant to contact the SJVAPCD to inquire what Air District rules may apply to the project for any future construction related activities. Any major expansions or additions of uses will require that a discretionary permit (Use Permit or Rezone) is first obtained through the Planning Department. These discretionary project applications would be circulated to the Air District for comment and conditions.

Mitigation: None.

References: Referral response from the San Joaquin Valley Air Pollution Control District dated April 15, 2013; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; and the Stanislaus County General Plan and Support Documentation¹.

IV. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

Discussion: No construction is being proposed as part of this project. This project is intended to give land use authority for uses that already currently exist on the site. The area surrounding the project site is already developed with recreational, industrial, and residential uses. It does not appear this project will result in any direct or indirect impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors. This project was referred to the California and U.S. Departments of Fish and Wildlife and no responses were received.

Mitigation: None.

References: California Department of Fish and Wildlife (formerly the Department of Fish and Game) California Natural Diversity Database and the Stanislaus County General Plan and Support Documentation¹.

V. CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?			X	

Discussion: As the site is already developed, it does not appear this project will result in significant impacts to any archaeological or cultural resources. Pursuant to Section 65352.3 of the California Government Code, this project was referred to local Native American tribes on March 27, 2013, for comment and no responses were received; however, a response was received from the Native American Heritage Commission requesting that the applicant obtain a records search from the Central California Information Center (CCIC). Results of that records search indicated that there are records of two buildings, 59 years of age or older, existing on the project site. Assessor records indicate that there is a barn and milk house on Assessor Parcel Number 075-024-008, built in approximately 1915, and a hay storage barn and stables located on Assessor Parcel Number 075-024-009, built in 1962. The 1915 barn is the only of these structures still existing on the project site; however, the structure is not a Federally or locally registered or recognized historic building. As recommended by the CCIC report, a condition of approval will be placed on the project that requires that if any subsurface resources are found, construction activities will halt at that time.

Mitigation: None.

References: Central California Information Center report dated November 29, 2012, and the Stanislaus County General Plan and Support Documentation¹.

VI. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	

Discussion: As contained in Chapter Five of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5; however, as per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required as part of the building permit process. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present, special engineering of the structure will be required to compensate for the soil deficiency. Any structures resulting from this project will be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. Any earth moving is subject to Public Works Standards and Specifications which consider the potential for erosion and run-off prior to permit approval. Likewise, any addition of a septic tank or alternative waste water disposal system would require the approval of the Department of Environmental Resources (DER) through the building permit process, which also takes soil type into consideration within the specific design requirements.

Mitigation: None.

References: California Building Code and the Stanislaus County General Plan and Support Documentation - Safety Element¹.



VII. GREENHOUSE GAS EMISSIONS – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Discussion: The principal Greenhouse Gasses (GHGs) are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H₂O). CO₂ is the reference gas for climate change because it is the predominant greenhouse gas emitted.

Although no development is being proposed as a part of this project, any future development must comply with Title 24 Building Code Regulations which include measures for energy-efficient buildings that require less electricity and reduce fuel consumption, which in turn decreases GHG emissions. The main factor that would contribute to greenhouse gas emissions from this project would be from vehicle and truck trips generated.

The majority of the truck and vehicle trips generated by the project, which are most numerous during harvest season, are associated with the existing trucking operation. Although the RV storage portion of the project also currently exists on-site, this project is requesting the land use authority to continue its operation. A maximum number of sixty-five (65) RV's will be stored on-site at any given time throughout the year. Business hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. The RV storage operation includes a maximum of two (2) employees and up to 10 customer visits per day. The additional vehicle trips proposed by this project are minimal. Accordingly, impacts to GHG emissions are considered to be less than significant.

A referral response from the SJVAPCD indicated that "the general plan amended and the rezoning of land will not have an impact on air quality. However, if approved, future development will contribute to the overall decline in air quality due to construction activities, increased traffic, and ongoing operational emissions." The SJVAPCD's response letter went on to suggest that future development may require further environmental review and mitigation and may be subject to the District's rules and regulations, including but not limited to, Rule 9510 (Indirect Source Review), Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations), and Rule 4002 (National Emissions Standards for Hazardous Air Pollutants).

A standard condition of approval will be applied to the project which requires the applicant to contact the SJVAPCD to inquire what Air District rules may apply to the project for any future construction related activities. Any major expansions or additions of uses will require that a discretionary permit (Use Permit or Rezone) is first obtained through the Planning Department. These discretionary project applications would be circulated to the Air District for comment and conditions.

Mitigation: None.

References: Referral response from the San Joaquin Valley Air Pollution Control District dated April 15, 2013, and the Stanislaus County General Plan and Support Documentation¹.



VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			X	
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	

<p>h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</p>			<p>X</p>	
<p>Discussion: Conditions of approval will be added to ensure that protective measures be taken to prevent the potential for oil or vehicle fluid leakage from entering the storm drain system, as requested by the Stanislaus County Department of Environmental Resources Hazardous Materials Division. Pesticide exposure is a risk in agricultural areas. Sources of exposure include contaminated groundwater, which is consumed, and drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. DER is responsible for overseeing hazardous materials in this area.</p>				
<p>Mitigation: None.</p>				
<p>References: Referral response from the Stanislaus County Department of Environmental Resources Hazardous Materials Division dated April 2, 2013, and the Stanislaus County General Plan and Support Documentation¹.</p>				
<p>IX. HYDROLOGY AND WATER QUALITY -- Would the project:</p>	<p>Potentially Significant Impact</p>	<p>Less Than Significant With Mitigation Included</p>	<p>Less Than Significant Impact</p>	<p>No Impact</p>
<p>a) Violate any water quality standards or waste discharge requirements?</p>			<p>X</p>	
<p>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</p>			<p>X</p>	
<p>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</p>			<p>X</p>	
<p>d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</p>			<p>X</p>	
<p>e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</p>			<p>X</p>	
<p>f) Otherwise substantially degrade water quality?</p>			<p>X</p>	
<p>g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</p>			<p>X</p>	
<p>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</p>			<p>X</p>	

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
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j) Inundation by seiche, tsunami, or mudflow?			X	
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Discussion: Conditions of approval will be added to ensure that protective measures be taken to prevent the potential for oil or vehicle fluid leakage from entering the storm drain system, as requested by the Stanislaus County Department of Environmental Resources Hazardous Materials Division. Run-off is not considered an issue because of several factors which limit the potential impact. These factors include a relative flat terrain of the subject site and relatively low rainfall intensities. Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act. The project site itself is not located within a recognized flood zone and, as such, flooding is not an issue with respect to this project. A grading and drainage plan is required to be reviewed and approved by the Department of Public Works as a condition of approval. The project was referred to the Regional Water Quality Control Board but no response has been received.

Mitigation: None.

References: Referral response from the Stanislaus County Department of Environmental Resources Hazardous Materials Division dated April 2, 2013; referral response from the Stanislaus County Department of Public Works dated April 29, 2013; and the Stanislaus County General Plan and Support Documentation¹.

X. LAND USE AND PLANNING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Physically divide an established community?			X	
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	

Discussion: The project site has a General Plan designation of Urban Transition (UT) and a zoning designation of A-2-10 (General Agriculture). The site is designated in the City of Riverbank's General Plan as Industrial/Business Park. The City of Riverbank responded to an Early Consultation referral with no objections to the project provided that adequate right-of-way is dedicated along Claribel and Claus Roads.

The main operation contains an office, several accessory buildings used for storage, a house, truck parking, and RV storage. The western 8.6 acres of the project site is not currently farmed and contains a number of truck beds utilized during harvest season in conjunction with the trucking portion of the operation.

In order to take affirmative action regarding the General Plan amendment application, it must be found that the proposed project will maintain a logical land use pattern without detriment to existing and planned land uses. The majority of the parcels surrounding the project site are estate residential, industrial, and recreational in nature. The parcels adjacent to the project site include: Rainbow Fields Sports Complex, the Oakdale Irrigation District's Langstroth Pond, and a 1.38 acre ranchette to the south; the Riverbank Industrial Complex to the east; and residential within the City of Riverbank limits and ranchettes with a general plan designation of Urban Transition are situated to the north and west. Of the surrounding properties (within a half mile radius of the site) that have a General Plan and zoning designation of Agriculture: 21 parcels are under 10 acres in size (of those, three are currently enrolled in the Williamson Act); four parcels are between 10-20 acres in size (of those, three are currently enrolled in the Williamson Act); and six parcels are more than 20 acres in size (of those, five are enrolled in the Williamson Act). All 11 parcels still enrolled in the Williamson Act within a half mile radius of the site are located south and east of the project, separated by the Rainbow Fields Sports Complex and the Riverbank Industrial Complex. (See project maps attached.)

Brite trucking has been operating on this site since 1978 and has obtained a number of land use permits including: ZUPA 78-121 which allowed for the trucking operation, including a 3,200 square foot building for on-site repair and maintenance of trucks. BP#100568; SAA 82-07 which allowed for construction of a 2,400 square foot office. BP#113837; SAA 84-10 which allowed for expansion of a maintenance and repair shop and construction of a 2,500 square foot truck storage area. BP#120752 (repair shop addition) & BP#120751 (truck shelter/tire storage); and UP 88-09 which allowed for expansion of the existing trucking operation by adding a 2,000 square foot addition to the truck shelter/tire storage area. BP#139704.

Due to the fact that the trucking operation has existed on this site for 36 years and to the character of the surrounding properties being a mix of residential, industrial, and recreational, this project is not anticipated to have any potential to negatively impact land use and planning. The features of this project will not physically divide an established community and/or conflict with any habitat conservation plan or natural community conservation plan. This project is not known to conflict with any applicable land use plan, policy, or regulation of any agency with jurisdiction over the project.

Mitigation: None.

References: Referral response from the City of Riverbank Planning Department dated April 15, 2013, and the Stanislaus County General Plan and Support Documentation¹.

XI. MINERAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			X	

Discussion: The location of all commercially viable mineral resources in Stanislaus County has been mapped by the State Division of Mines and Geology in Special Report 173. There are no known significant resources on the site.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

XII. NOISE -- Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			X	

Discussion: The proposed use for the subject parcel is not high traffic generating and should generally create very low levels of noise. As the project is an existing use, no additional noise generation than is currently present is anticipated. The Stanislaus County General Plan identifies noise levels up to 75 dB L_{dn} (or CNEL) as the normally acceptable level of noise for agricultural, industrial, manufacturing, and other similar land uses.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

XIII. POPULATION AND HOUSING -- Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			X	
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			X	

Discussion: No housing or persons will be displaced by this project. The proposed parcel will be restricted to the approved uses and structures. Any alterations to the use or building type requires the developer obtain a Staff Approval Permit, Use Permit, or Rezone to modify the project beyond what was reviewed in compliance with CEQA. This project does not propose any type of significant growth inducing features; therefore, adverse effects created by population growth should not occur.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

XIV. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	

Police protection?			X	
Schools?				X
Parks?				X
Other public facilities?			X	

Discussion: The County has adopted a standardized mitigation measure requiring payment of all applicable Public Facilities Fees, as well as one for the Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. In addition, first year costs of the Sheriff's Department have been standardized based on studies conducted by the Sheriff's Department. All structures on the property will be required to comply with all applicable sections of the Title 24 California Code of Regulations. Payment of public facility fees will be required upon issuance of any required building permit, which will be reflected as a condition of approval for this project.

A referral response from the Modesto Regional Fire Authority did not identify any potentially significant impacts, but required that a fire protection water supply and fire apparatus access be provided. Stanislaus Consolidated Fire Protection District provided a response stating that the proposed project shall comply with all applicable fire code requirements and standards. These comments will be included as conditions of approval for the project.

The Department of Public Works responded to the project referral with comments regarding a grading and drainage plan, right-of-way dedication, and restrictions within the right-of-way.

This project was also referred to the Sheriff's Department, Riverbank Unified School District, PG&E and AT&T and no responses have been received.

Mitigation: None.

References: Referral response from Modesto Regional Fire Authority dated March 29, 2013; referral response from Stanislaus Consolidated Fire Protection District dated April 8, 2013; referral response from the Stanislaus County Department of Public Works dated April 29, 2013; and the Stanislaus County General Plan and Support Documentation¹.



XV. RECREATION --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

Discussion: The proposed commercial project will not cause an increase in the use of existing recreational facilities as no dwelling units will be permitted as a part of this project.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.



XVI. TRANSPORTATION/TRAFFIC -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?			X	
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	
<p>Discussion: The existing agricultural trucking operation includes 25 trucks on-site; however, the current Use Permit allows for up to 98 trucks to be parked on-site during peak harvest season. During harvest season (July to October), there are upwards of 25 truck trips per day. Non-harvest season consists of one to five truck trips per day. During harvest season, the hours of operation are 24 hours per day, seven days per week, employing 25 people. During non-harvest season, the hours of operation are 8 hours per day (9:00 a.m. to 5:00 p.m.), Monday through Friday. A maximum number of 65 RV's will be stored on-site at any given time throughout the year. Business hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. The RV storage operation includes a maximum of two (2) employees and up to 10 customer visits per day.</p> <p>The Department of Public Works did not raise any potentially significant environmental concerns in regard to traffic impacts. Public Works responded to the project referral with comments regarding requirements for a grading and drainage plan, roadway dedication, reciprocal access agreements, and restrictions on access to Claribel Road and on parking, loading, and unloading of vehicles within the right-of-way. The City of Riverbank responded to the project referral with a request for roadway dedication along Claus and Claribel Roads. These conditions of approval will be applied to the project.</p>				
<p>Mitigation: None.</p>				
<p>References: Referral response from the Stanislaus County Department of Public Works dated April 29, 2013; referral response from the City of Riverbank Planning Department dated April 15, 2013; and the Stanislaus County General Plan and Support Documentation¹.</p>				

XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	
<p>Discussion: The property has well and septic. A referral response from the Building Permits Division states that ADA compliant employee restrooms are required, which will be reflected in the conditions of approval. The Department of Public Works responded stating that a grading and drainage plan must be submitted and approved by the Department as a condition of approval. A referral response from the Oakdale Irrigation District (OID) stated that, "the proposed planned development for a light industrial zoning district is appropriate for the existing and proposed uses of the subject parcels, which have been involved in agricultural truck storage since 1978"; however, the response indicated that because the proposed development is light industrial in nature, the use is inconsistent with continued irrigation and should be required, as a condition of approval, to apply for a disconnection from OID service. The project was referred to the Regional Quality Control Board but no response has been received.</p>				
<p>Mitigation: None.</p>				
<p>References: Referral response from the Building Permits Division dated April 15, 2013; referral response from the Stanislaus County Department of Public Works dated April 29, 2013; referral response from Oakdale Irrigation District dated May 22, 2013; and the Stanislaus County General Plan and Support Documentation¹.</p>				

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	
<p>Discussion: Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area.</p>				

I:\Planning\Staff Reports\GPA\2012\GPA REZ PLN2012-0038 - Brite Transport Systems, Inc\IS\InitialStudy.wpd

¹Stanislaus County General Plan and Support Documentation adopted in October 1994, as amended. Optional and updated elements of the General Plan and Support Documentation: **Agricultural Element** adopted on December 18, 2007; **Housing Element** adopted on August 28, 2012; **Circulation Element** and **Noise Element** adopted on April 18, 2006.



City of Riverbank Development Services Department

Planning Division ≈ Building Division ≈ Code Enforcement

June 11, 2014

Ms. Angela Freitas
Director of Planning and Community Development
County of Stanislaus
1010 10th Street, Suite 3400
Modesto, CA 95354

RE: Public Comments on the proposed General Plan Amendment and Rezone Application
no. PLN 2012-0038

Angela:

This correspondence is in keeping with your official inquiry to the City of Riverbank on June 5, 2014 regarding the above referenced application. Please be advised that the City of Riverbank has been working with the project proponents since May of 2012 and the concerns of the City of Riverbank have been addressed as part of the application submittal. The subject property is designated by the Riverbank 2025 General Plan as Industrial/Business Park (I/BP) and is within the City adopted Sphere of Influence. If the property were to be annexed the zoning districts which are compatible with the I/BP General Plan designation would include CM, M-1 and M-2. The proposed use as stated with the County application is consistent with uses contemplated by the Riverbank General Plan.

The above application was presented to the Riverbank Planning Commission on May 22, 2014 and no concerns were expressed.

The City's response by JD Hightower dated April 15, 2013 suggested an irrevocable offer of dedication of right of way for both Claus Road as well as Claribel of 72 feet each from the center line of these roadways. The City of Riverbank has had much discussion regarding future right of way requirements for Claus Road and we have settled on a 100 foot planned right of way. This of course accepts out any widening needed at the intersection of Claribel Road to accommodate future turning lanes. We are aware of Angie Halverson's comments of April 3, 2013 wherein she explains that Claribel road is a Class B Expressway and as such has a planned future right of way width of 135', 67.5' from center line of Claribel Road. We agree with this right of way determination. In keeping with the statements above we would request that Stanislaus County impose a condition on this project which states:

6707 Third Street - Riverbank, CA. 95367
Office (209) 863-7128 FAX (209) 869-7126

Applicant/Owner shall prepare, execute and have recorded an irrevocable offer of dedication of Right of Way in favor of the Public to accomplish a minimum right of way of 50 feet along Claus Road and 67.5 feet along Claribel Road. Future improvements to these roadways will be deferred till additional urban development occurs in the area. Specific roadway improvements will depend on the type and intensity of future development which might take place on the property and will include at a minimum curb, gutter, sidewalk and street paving as approved by the City of Riverbank Engineer as well as the County Engineer.

We appreciate the opportunity to comment on this project. Should you have questions please feel free to contact me at 863-7120.

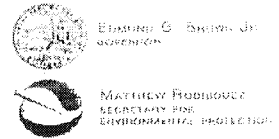


Kathleen Cleek
Senior Management Analyst
City of Riverbank

Cc: Jill Anderson, City Manager
John B. Anderson, Contract Community Development Director



CLEAR
6/11/2014
E



Central Valley Regional Water Quality Control Board

21 May 2014

RECEIVED

Kristin Doud
Stanislaus County
Planning and Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

MAY 22 2014
STATE CLEARING HOUSE

CERTIFIED MAIL
7013 2250 0000 3465 1315

COMMENTS TO REQUEST FOR REVIEW FOR THE NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN 2012-0038 – BRITE TRANSPORT SYSTEMS, INC PROJECT, SCH# 2014052020, STANISLAUS COUNTY

2013032081

Pursuant to the State Clearinghouse's 13 May 2014 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the Request for Review for the Negative Declaration for the General Plan Amendment and Rezone Application No. PLN2012-0038 – Brite Transport Systems, Inc. Project, located in Stanislaus County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 97-03-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit, or any other federal permit, is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project will require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

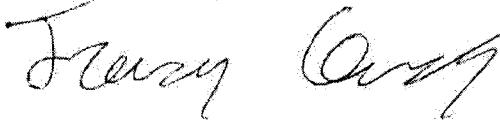
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

General Plan Amendment and Rezone Application
No. PLN2012-0038 – Brite Transport
Systems, Inc. Project
Stanislaus County

- 4 -

21 May 2014

If you have questions regarding these comments, please contact me at (916) 464-4684 or
tcleak@waterboards.ca.gov.

A handwritten signature in black ink, appearing to read "Trevor Cleak". The signature is written in a cursive, flowing style.

Trevor Cleak
Environmental Scientist

cc: State Clearinghouse Unit, Governor's Office of Planning and Research, Sacramento



EDMUND G. BROWN JR.
GOVERNOR

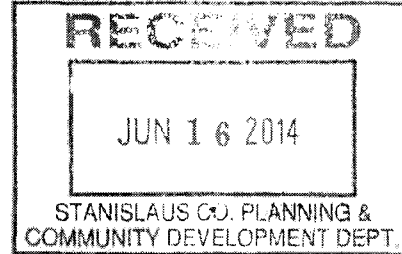
STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

June 12, 2014

Kristin Doud
Stanislaus County Planning and Com. Dev.
1010 10th Street, Suite 3400
Modesto, CA 95354



Subject: General Plan Amendment and Rezone Application No. PLN2012-0038 - Brite Transport Systems, Inc.
SCH#: 2013032081

Dear Kristin Doud:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 11, 2014, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures

cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report
State Clearinghouse Data Base**

SCH# 2013032081
Project Title General Plan Amendment and Rezone Application No. PLN2012-0038 - Brite Transport Systems, Inc.
Lead Agency Stanislaus County

Type **Neg** Negative Declaration

Description Request to amend the current General Plan and zoning designations of three parcels totaling 20.96 acres to Planned Development to expand an existing agricultural trucking business to include an RV storage/parking facility on an adjacent property. The applicant is proposing RV parking on the north parcel and to continue with the existing agricultural truck parking on the south parcel. The agricultural truck parking has been allowed on this site since 1978 (UP 78-121). The existing operation has an office, truck maintenance/repair shop, and several accessory storage buildings. The parcel to the west includes storage of truck beds utilized during harvest season for the agricultural truck operation. If this project is approved, a lot line adjustment is proposed which will adjust the north and south property lines to separate the RV parking and agricultural truck parking operations. The site is served by well and septic facilities.

Lead Agency Contact

Name Kristin Doud
Agency Stanislaus County Planning and Com. Dev.
Phone (209) 525-6330 **Fax**
email
Address 1010 10th Street, Suite 3400
City Modesto **State** CA **Zip** 95354

Project Location

County Stanislaus
City Riverbank
Region
Lat / Long
Cross Streets Claribel & Claus Roads
Parcel No. 075-024-008, 009, 011
Township 2S **Range** 9E **Section** 36 **Base** MDB&M

Proximity to:

Highways
Airports
Railways BNSF
Waterways
Schools
Land Use PLU: Agricultural Trucking Operation
 Z: A-2-10
 GPD: Urban Transition

Project Issues

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 4; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 10; Air Resources Board; Regional Water Quality Control Bd., Region 5 (Sacramento); Native American Heritage Commission; Public Utilities Commission

Date Received 05/13/2014 **Start of Review** 05/13/2014 **End of Review** 06/11/2014



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

Memorandum

Date: May 14, 2014
To: All Reviewing Agencies
From: Scott Morgan, Director
Re: SCH # 2014052038
General Plan Amendment and Rezone Application No. PLN2012-0038
- Brite Transport Systems, Inc.

The State Clearinghouse distributed the above-referenced **Negative Declaration** on **May 13, 2014** to your agency for review and comment. It has come to our attention that the document was issued a new State Clearinghouse Number in error. For all future correspondence regarding this project, please use the original State Clearinghouse Number **2013032081**. We apologize for any inconvenience this may have caused. All other project information remains the same.

cc: Kristin Doud
Stanislaus County Planning and Com. Dev.
1010 10th Street, Suite 3400
Modesto, CA 95354





Notice of Completion and
Environmental Document Transmittal
California Environmental Quality Act

2013032081

TO: STATE CLEARINGHOUSE
1400 Tenth Street
Sacramento, CA 95814
(916) 445-0613

FROM: STANISLAUS COUNTY
Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354
PHONE: (209) 525-6330
FAX: (209) 525-5911

Project Title: General Plan Amendment and Rezone Application No. PLN2012-0038 - Brite Transport Systems, Inc.
Lead Agency: Stanislaus County Planning and Community Development Contact Person: Kristin Doud, Associate Planner
Street Address: 1010 10th Street, Suite 3400 Phone: (209) 525-6330
City: Modesto, CA Zip: 95354 County: Stanislaus

Present Land Use/Zoning/General Plan Designation:

PLU: Agricultural Trucking Operation Current Zoning: A-2-10 (General Agriculture) Current GPD: Urban Transition

Project Description:

Request to amend the current General Plan and zoning designations of three (3) parcels totaling 20.98± acres to Planned Development to expand an existing agricultural trucking business to include an RV storage/parking facility on an adjacent property. The applicant is proposing RV parking on the north parcel and to continue with the existing agricultural truck parking on the south parcels. The agricultural truck parking has been allowed on this site since 1978 (UP 78-121). The existing operation has an office, truck maintenance/repair shop, and several accessory storage buildings. The parcel to the west includes storage of truck beds utilized during harvest season for the agricultural trucking operation. If this project is approved, a lot line adjustment is proposed which will adjust the north and south property lines to separate the RV parking and agricultural truck parking operations. The site is served by well and septic facilities.

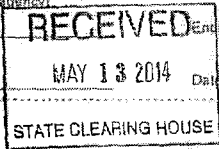
Project Location

County: Stanislaus County City/Nearest Community: Riverbank
Cross Streets: Claribel & Citrus Roads Zip Code: 95367 Total Acres: 20.98±
Longitude/Latitude (degrees, minutes and seconds): * * "N/W * * "W
Assessor's Parcel Number: 075-024-008, 009, and 011 Section: 36 Twp: 2S Range: 9E Base: MDB&M
Within 2 Miles: State Hwy #: Waterways: Airports: Railways: BNSF Schools:

Local Public Review Period (to be filled in by lead agency)

Starting Date: May 12, 2014 Ending Date: June 16, 2014

Signature: *Kristin Doud* Date: May 12, 2014



Document Type

- CEQA
 NOP
 Early Cons
 Neg Dec
 Mit Neg Dec
 Draft EIR
 Supplement/Subsequent EIR (Prior SCH No.)
 Other (NOE, NOC, NOD, etc.)
 NEPA
 NOI
 EA
 Draft EIS
 FONSI
 OTHER
 Joint Document
 Final Document
 Other

Local Action Type

- General Plan Update
 General Plan Amendment
 General Plan Element
 Community Plan
 Specific Plan
 Master Plan
 Planned Unit Development
 Site Plan
 Rezone
 Prezone
 Use Permit
 Land Division (Subdivision, etc.)
 Annexation
 Redevelopment
 Cancel Ag Preserve
 Other

State Clearinghouse Contact:

(916) 445-0613

State Review Began: 05.13.2014

SCH COMPLIANCE 06.11.2014

Project Sent to the following State Agencies

- Resources
 Boating & Waterways
 Coastal Comm
 Colorado Rvr Bd
 Conservation
 CDFW # 4
 Delta Protection Comm
 Cal Fire
 Historic Preservation
 Parks & Rec
 Central Valley Flood Prot.
 Bay Cons & Dev Comm.
 DWR
 OES
 Resources, Recycling and Recovery
 Bus Transp Hous
 Aeronautics
 CIIP
 Caltrans # 10
 Trans Planning
 Housing & Com Dev
 Food & Agriculture
 Public Health
 State/Consumer Svcs
 General Services
 Cal EPA
 ARB: ALL Projects
 ARB: Transportation Projects
 ARB: Major Industrial Projects
 SWRCB: Div. Financial Assist.
 SWRCB: Wtr Quality
 SWRCB: Wtr Rights
 Reg. WQCE # 55
 Toxic Sub Ctrl-CTC
 Yth/Adlt Corrections
 Corrections
 Independent Comm
 Energy Commission
 NAHC
 Public Utilities Comm
 State Lands Comm
 Tahoe Regl Plan Agency
 Conservancy
 Other:

Please note State Clearinghouse Number (SCH#) on all Comments

2013032081

SCH#: Please forward late comments directly to the Lead Agency

AQMD/APCD 34

(Resources: 05 / 17)



STANISLAUS COUNTY CEQA REFERRAL RESPOND FORM

TO: Stanislaus County Planning & Community Development
FROM: Department of Environmental Resources
SUBJECT: **ENVIRONMENTAL REFERRAL- General Plan Amendment And Rezone
Application No. PLN2012-0038 – Brite Transport Systems, Inc.**

Based on this agencies particular field(s) of expertise, it is our position the above-described project:

- Will not have a significant effect on the environment.
- May have a significant effect on the environment.
- No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) - (attach additional sheet if necessary)

- 1.
- 2.
- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts: *PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):*

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

1. "The Water System may now be or may become a public water system as defined by California Health and Safety Code (CA HSC) Section 116275 and Title 22 California Code of Regulations (CCR) Sections 64400.10, 64400.80, 64401.85. Prior to issuance of building permits or licenses to conduct business identified in general plan amendment and rezone application no. PLN2012-0038, the property owner shall certify to Stanislaus County Department of Environmental Resources (Department) that: the property use does not or will not constitute a public water system, or submit an public water supply permit application [(CA HSC) 116525] to the Department accompanied by a public water system technical report [(CA HSC) 116530], financial and managerial and technical information [(CA HSC) 116540], and obtain a public water supply permit to operate the public water system [(CA HSC) Sections 116525, 116530, 116540, 116550]."

2. At time the Leisure RV storage business expand by proposing new additional structures this business will be subject to Measure X for the onsite wastewater treatment system. (On-site wastewater disposal system (OWTS) shall be by individual Primary and Secondary wastewater treatment units.)
3. The Recreational Vehicles will be allowed to park/stored at the proposed property without any utilities connection.

Response prepared by:

Date: 5/27/2014

Bella Badal

BELLA BADAL, PhD, REHS
SENIOR REGISTERED ENVIRONMENTAL HEALTH SPECIALIST
Department of Environmental Resources

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DEPARTMENT OF PUBLIC WORKS

Matt Machado, PE
Director

Colt Esenwein, PE
Deputy Director, Engineering/Operations

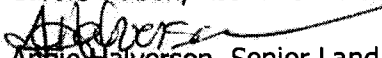
Diane Haugh
Assistant Director, Business/Finance

1716 Morgan Road, Modesto, CA 95358
Phone: 209.525.4130 Fax: 209.541.2505

www.stancounty.com/publicworks



April 29, 2013

To: Carole Maben, Associate Planner, Planning and Community Development
From:  Angie Halverson, Senior Land Development Coordinator
Subject: PLN 2012-0038 Brite Transport Systems, Inc.

This is a request to amend the current General Plan and Rezone of three parcels of approximately 21 acres in the City of Riverbank Sphere of Influence. Brite Transport Systems is located south of Davis Road, east of Claus Road, and north of Claribel Road. The applicant raised some concerns over the proposed conditions of approval. After meeting with the applicant's representative, this Department recommends the following amended conditions of approval:

1. A grading and drainage plan for the entire project site shall be submitted within 6 months of project approval. Public Works will review and approve the drainage calculations. The grading and drainage plan shall include the following information:
 - Drainage calculations shall be prepared as per the Stanislaus County Standards and Specifications that are current at the time the permit is issued.
 - The plan shall contain enough information to verify that all runoff will be kept from going onto adjacent properties and Stanislaus County road right-of-way.
 - The grading and drainage plan shall comply with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit and the Stanislaus County's MS4 Phase 2 Storm Water Management Program.
 - The grading, drainage, and associated work shall be accepted by Stanislaus County Public Works inspector before the permit is finalized.
 - The applicant of the grading permit shall pay the current Stanislaus County Public Works weighted labor rate for the plan review of the building and/or grading plan and all inspection fees. The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site. The plans shall not be released until such time that all plan check and inspection fees have been paid.
 - The area of the site where fill has been placed shall be included in the grading plan. The changes to the drainage pattern shall be reflected in the grading and drainage plan. This area of the grading plan shall show the site pre-fill and where and how the drainage worked and then the plan shall show existing site as it is today and how the existing drainage works.

2. Claribel Road is in the City of Riverbank Sphere of Influence General Plan. The required ½ width for the City of Riverbank on Claribel Road is 72-feet north of the roadway centerline on Claribel Road along the project's frontage. If 72-feet of the road right-of-way north of the roadway centerline do not exist, then the remainder 72-feet shall be dedicated with an Irrevocable Offer of Dedication. The Irrevocable Offer of Dedication shall be submitted to Public Works prior to the issuance of any building or grading permit associated with this project or within 90 days of the approval of the project, whichever comes first.
3. Davis Road is classified as a 2-lane 60-foot Local roadway. The required ½ width is 30-feet south of the roadway centerline on Davis Road along the project's frontage. If 30-feet of the road right-of-way south of the roadway centerline do not exist, then the remainder 30-feet shall be dedicated with an Irrevocable Offer of Dedication. The Irrevocable Offer of Dedication shall be submitted to Public Works prior to the issuance of any building or grading permit associated with this project or within 90 days of the approval of the project, whichever comes first.
4. No parking, loading or unloading of vehicles will be permitted within the County road right-of-way.
5. Access will not be allowed from Claribel Road. When development occurs on Assessor's parcel number 075-024-011, it shall utilize the existing access on parcel 075-024-009. If necessary, a reciprocal access easement shall be provided by the current owner of parcel 075-024-009.

\\PW01\pwh\Development Services\Development Permits\REZ archive\REZ 2012\PLN2012-0038 REZ GPA Brite Transport Systems, Inc2.doc

NEGATIVE DECLARATION

NAME OF PROJECT: General Plan Amendment and Rezone Application No. PLN2012-0038 - Brite Transport Systems, Inc.

LOCATION OF PROJECT: 5101 Claus Road, at the northwest corner of Claribel and Claus Roads, on the south side of Davis Avenue, in the City of Riverbank Sphere of Influence. APN: 075-024-008, 009, and 011

PROJECT DEVELOPERS: Brite Transport Systems, Inc.
5101 Claus Road
Modesto, CA 95355

DESCRIPTION OF PROJECT: Request to amend the current General Plan and zoning designations of three (3) parcels totaling 20.98± acres to Planned Development to expand an existing agricultural trucking business to include an RV storage/parking facility on an adjacent property. The applicant is proposing RV parking on the north parcel and to continue with the existing agricultural truck parking on the south parcel. The agricultural truck parking has been allowed on this site since 1978 (UP 78-121). The existing operation has an office, truck maintenance/repair shop, and several accessory storage buildings. The parcel to the west includes storage of truck beds utilized during harvest season for the agricultural trucking operation. If this project is approved, a lot line adjustment is proposed which will adjust the north and south property lines to separate the RV parking and agricultural truck parking operations. The site is served by well and septic facilities.

Based upon the Initial Study, dated **April 30, 2014**, the Environmental Coordinator finds as follows:

1. This project does not have the potential to degrade the quality of the environment, nor to curtail the diversity of the environment.
2. This project will not have a detrimental effect upon either short-term or long-term environmental goals.
3. This project will not have impacts which are individually limited but cumulatively considerable.
4. This project will not have environmental impacts which will cause substantial adverse effects upon human beings, either directly or indirectly.

The Initial Study and other environmental documents are available for public review at the Department of Planning and Community Development, 1010 10th Street, Suite 3400, Modesto, California.

Initial Study prepared by: Kristin Doud, Associate Planner


Submit comments to: Stanislaus County
Planning and Community Development Department
1010 10th Street, Suite 3400
Modesto, California 95354

SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS

PROJECT: GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2012-0038 - BRITE TRANSPORT SYSTEMS, INC.

REFERRED TO:	RESPONDED			RESPONSE			MITIGATION MEASURES		CONDITIONS			
	2 WK	30 DAY	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	NO
CA DEPT OF FISH & WILDLIFE	X	X	X		X							
CA DEPT OF TRANSPORTATION DIST 10	X	X	X		X							
CA OPR STATE CLEARINGHOUSE	X	X	X	X				X		X		X
CA RWQCB CENTRAL VALLEY REGION	X	X	X	X				X		X	X	
CITY OF: RIVERBANK	X	X	X	X				X		X	X	
COOPERATIVE EXTENSION	X	X			X							
FIRE PROTECTION DIST: STAN CONSOLIDATED	X	X	X	X				X		X	X	
IRRIGATION DISTRICT: OAKDALE	X	X	X	X				X		X	X	
MODESTO REGIONAL FIRE AUTHORITY	X	X			X							
MOSQUITO DISTRICT: EASTSIDE	X	X	X		X							
MT VALLEY EMERGENCY MEDICAL	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
RAILROAD: BNSF	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X	X				X		X	X	
SCHOOL DISTRICT 1: RIVERBANK	X	X	X		X							
STAN CO AG COMMISSIONER	X	X			X							
STAN CO BUILDING PERMITS DIVISION	X	X		X				X		X	X	
STAN CO CEO	X	X			X							
STAN CO DER	X	X		X				X		X	X	
STAN CO ERC	X	X		X				X		X	X	
STAN CO FARM BUREAU	X	X	X		X							
STAN CO HAZARDOUS MATERIALS	X	X		X				X		X	X	
STAN CO PUBLIC WORKS	X	X		X				X		X	X	
STAN CO SHERIFF	X	X			X							
STAN CO SUPERVISOR DIST 1: O'BRIEN	X	X			X							
STAN COUNTY COUNSEL	X	X			X							
StanCOG	X	X			X							
STANISLAUS LAFCO	X	X	X		X							
SURROUNDING LAND OWNERS			X									
TELEPHONE COMPANY: AT&T	X	X	X		X							
TRIBAL CONTACTS	X	X	X		X							
US ARMY CORPS OF ENGINEERS	X	X	X		X							
US FISH & WILDLIFE	X	X	X		X							

- B. GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2012-0038 BRITE TRANSPORT SYSTEMS, INC.** – Request to amend the current General Plan designation of Urban Transition and zoning designation of A-2-10 (General Agriculture) to Planned Development (P-D), for three (3) parcels totaling 20.98± acres, to expand an existing agricultural trucking business to include an RV storage/parking facility on an adjacent property. A lot line adjustment, as a separate application, is also proposed to separate the RV parking and agricultural truck parking operations. The property is located at 5101 Claus Road, at the northwest corner of Claribel and Claus Roads, on the south side of Davis Avenue, in the Riverbank area. The Planning Commission will consider a Negative Declaration for the project.
APN: 075-024-008, 009, and 011
Staff Report: Kristin Doud Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: None
FAVOR: Mark Niskanen, JB Anderson Land Use Planning
Public hearing closed.
Buehner/Yamamoto, 6-0 (Unanimous), **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS**

<p style="text-align: center;">EXCERPT</p> <p style="text-align: center;">PLANNING COMMISSION</p> <p style="text-align: center;">MINUTES</p> <p style="text-align: center;"></p> <p>Secretary, Planning Commission</p> <p style="text-align: center;"><u>8-12-2014</u></p> <p>Date</p>

STANISLAUS COUNTY ORDINANCE NO. C.S. _____

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. 9-110-_____ FOR THE PURPOSE OF REZONING FROM A-2-10 (GENERAL AGRICULTURE) TO A NEW PD (PLANNED DEVELOPMENT) FOR THREE PARCELS (3.41 ACRES, 8.92 ACRES, AND 8.65 ACRES), TO EXPAND AN EXISTING AGRICULTURAL TRUCKING BUSINESS TO INCLUDE AN RV STORAGE/PARKING FACILITY ON AN ADJACENT PROPERTY. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CLARIBEL AND CLAUS ROADS, ON THE SOUTH SIDE OF DAVIS AVENUE, IN THE RIVERBANK AREA, APN: 075-024-008, 075-024-009, AND 075-024-011.

The Board of Supervisors of the County of Stanislaus, State of California, ordains as follows:

Section 1. Sectional District Map No. 9-110-_____ is adopted for the purpose of designating and indicating the location and boundaries of a District, such map to appear as follows:

(Map to be inserted upon rezone approval)

Section 2. This ordinance shall take effect and be in full force thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against same, in the Modesto Bee, a newspaper of general circulation published in Stanislaus County, State of California.

Upon motion of Supervisor_____, seconded by Supervisor _____, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 19th day of August, 2014, by the following called vote:

AYES: Supervisors:
NOES: Supervisors:
ABSENT: Supervisors:
ABSTAINING: Supervisors:

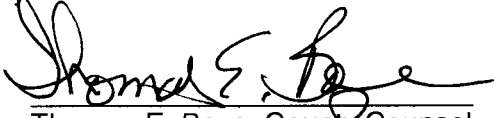
Jim DeMartini
CHAIRMAN OF THE BOARD OF SUPERVISORS
of the County of Stanislaus,
State of California

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of
the Board of Supervisors of
the County of Stanislaus,
State of California

BY: _____
Elizabeth A. King, Assistant Clerk of the Board

APPROVED AS TO FORM:

JOHN P. DOERING
County Counsel

By 
Thomas E. Boze, County Counsel

SECTIONAL DISTRICT MAP NO. 9-110-0000



EFFECTIVE DATE: 00.00.0000

PREVIOUS MAPS:

STANISLAUS COUNTY
ORDINANCE NO. C.S. 1154

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. 9-110-1001 FOR THE PURPOSE OF REZONING FROM A-2-10 (GENERAL AGRICULTURE) TO A NEW PD (PLANNED DEVELOPMENT) FOR THREE PARCELS (3.41 ACRES, 8.92 ACRES, AND 8.65 ACRES), TO EXPAND AN EXISTING AGRICULTURAL TRUCKING BUSINESS TO INCLUDE AN RV STORAGE/PARKING FACILITY ON AN ADJACENT PROPERTY. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CLARIBEL AND CLAUS ROADS, ON THE SOUTH SIDE OF DAVIS AVENUE, IN THE RIVERBANK AREA, APN: 075-024-008, 075-024-009, AND 075-024-011.

The Board of Supervisors of the County of Stanislaus, State of California, ordains as follows:

Section 1. Sectional District Map No. 9-110-1001 is adopted for the purpose of designating and indicating the location and boundaries of a District, such map to appear as follows:

(Insert map here)

Section 2. This ordinance shall take effect and be in full force thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against same, in the Riverbank News, a newspaper of general circulation published in Stanislaus County, State of California.

Upon motion of Supervisor O'Brien, seconded by Supervisor Monteith, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 19th day of August, 2014, by the following called vote:


AYES: Supervisors: O'Brien, Chiesa, Withrow, Monteith and Chairman De Martini
NOES: Supervisors: None
ABSENT: Supervisors: None
ABSTAINING: Supervisors: None



Jim DeMartini
CHAIRMAN OF THE BOARD OF SUPERVISORS
of the County of Stanislaus,
State of California

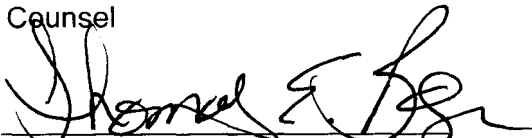
ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of
the Board of Supervisors of
the County of Stanislaus,
State of California



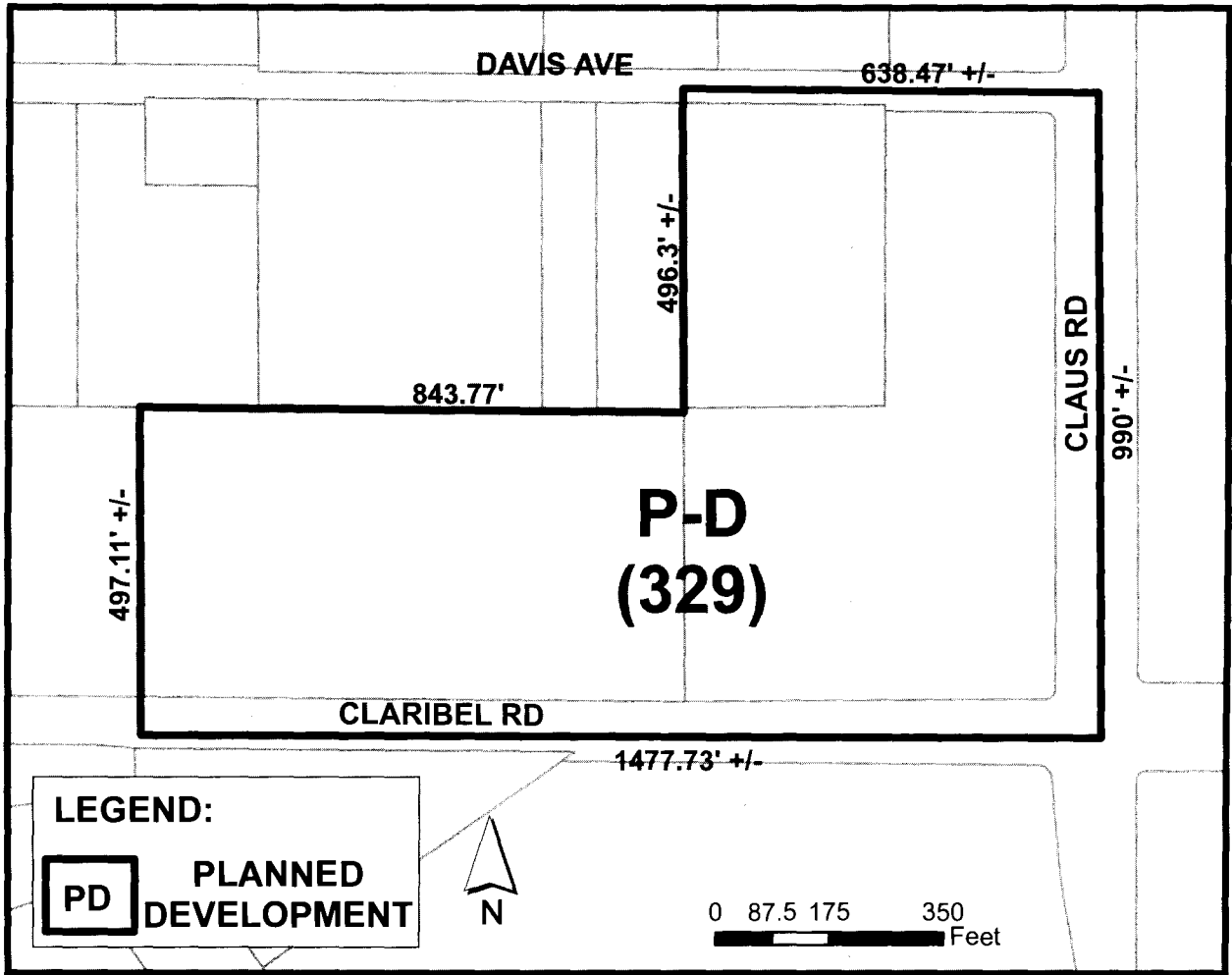
BY: 
Elizabeth A. King, Assistant Clerk of the Board

APPROVED AS TO FORM:

JOHN P. DOERING
County Counsel

By 
Thomas E. Boze, County Counsel

SECTIONAL DISTRICT MAP NO. 9-110-1001



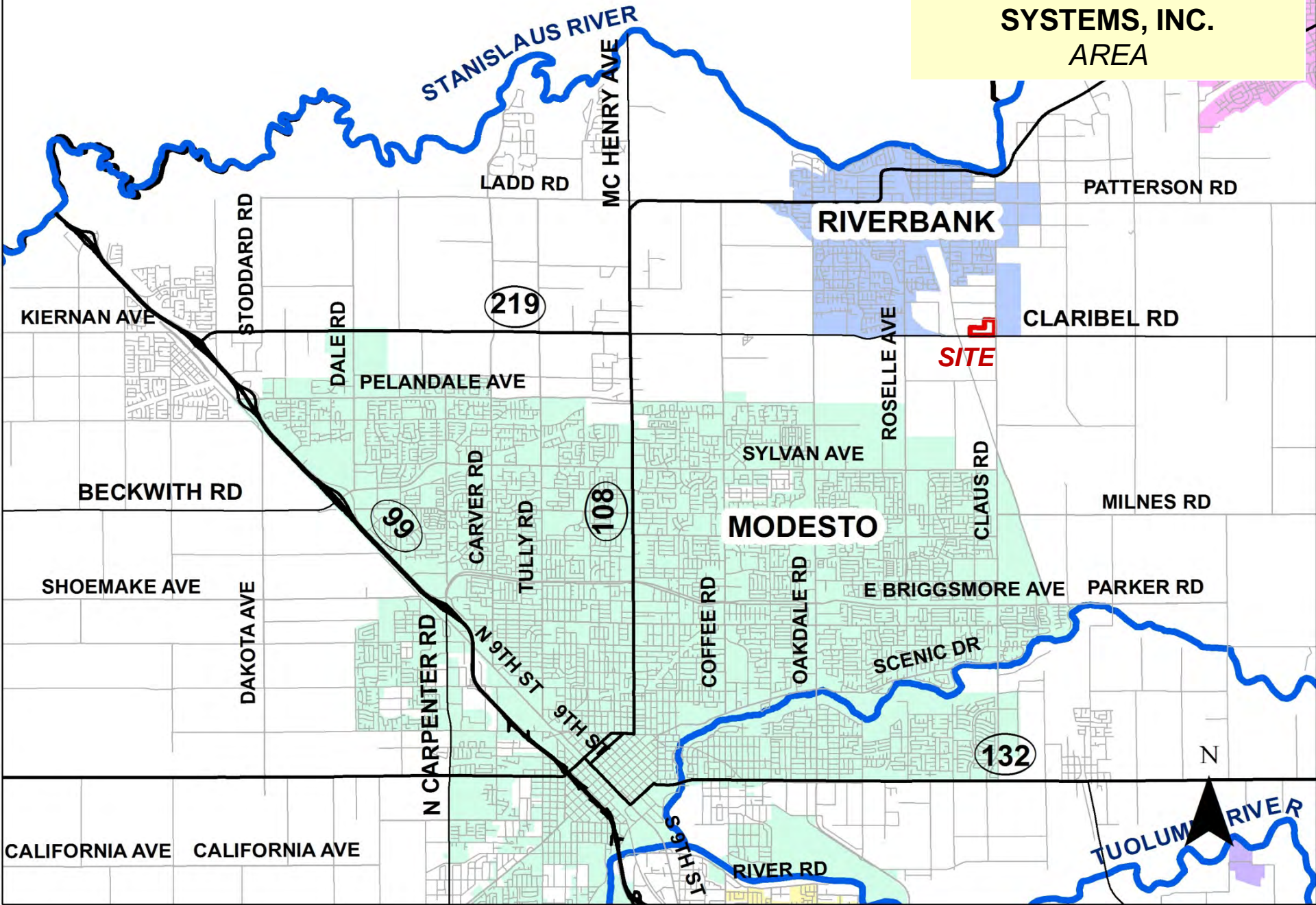
EFFECTIVE DATE: 09.18.2014
PREVIOUS MAPS: 519B, 67, 37

**GENERAL PLAN AMENDMENT
AND
REZONE APPLICATION NO.
PLN2012-0038
BRITE TRANSPORT SYSTEMS,
INC.**

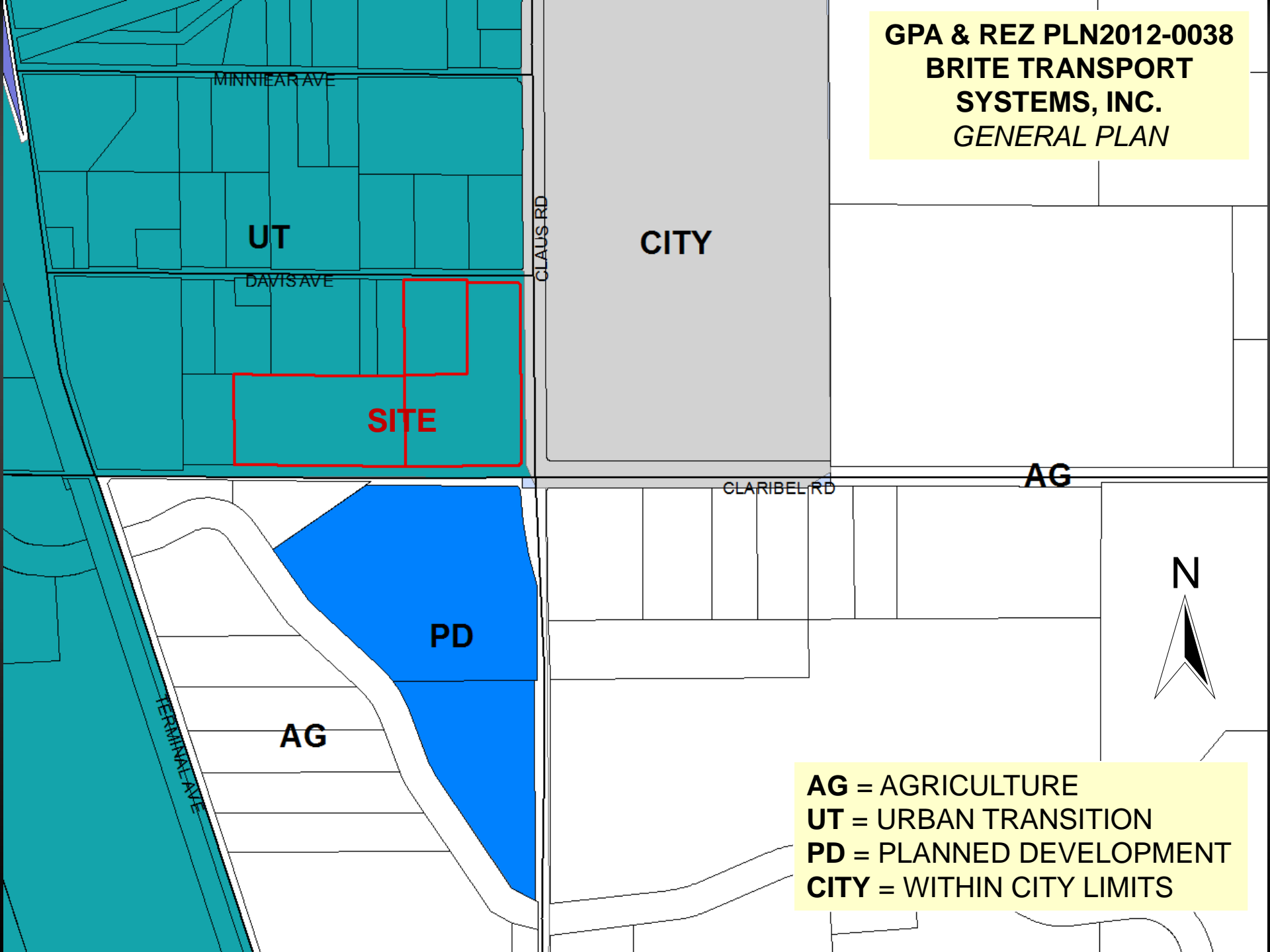
PROJECT DESCRIPTION

This is a request to amend the current general plan designation and zoning designation for three (3) parcels totaling 20.98± acres, to expand an existing agricultural trucking business to include an RV storage/parking facility on an adjacent property.

GPA & REZ PLN2012-0038
BRITE TRANSPORT
SYSTEMS, INC.
AREA

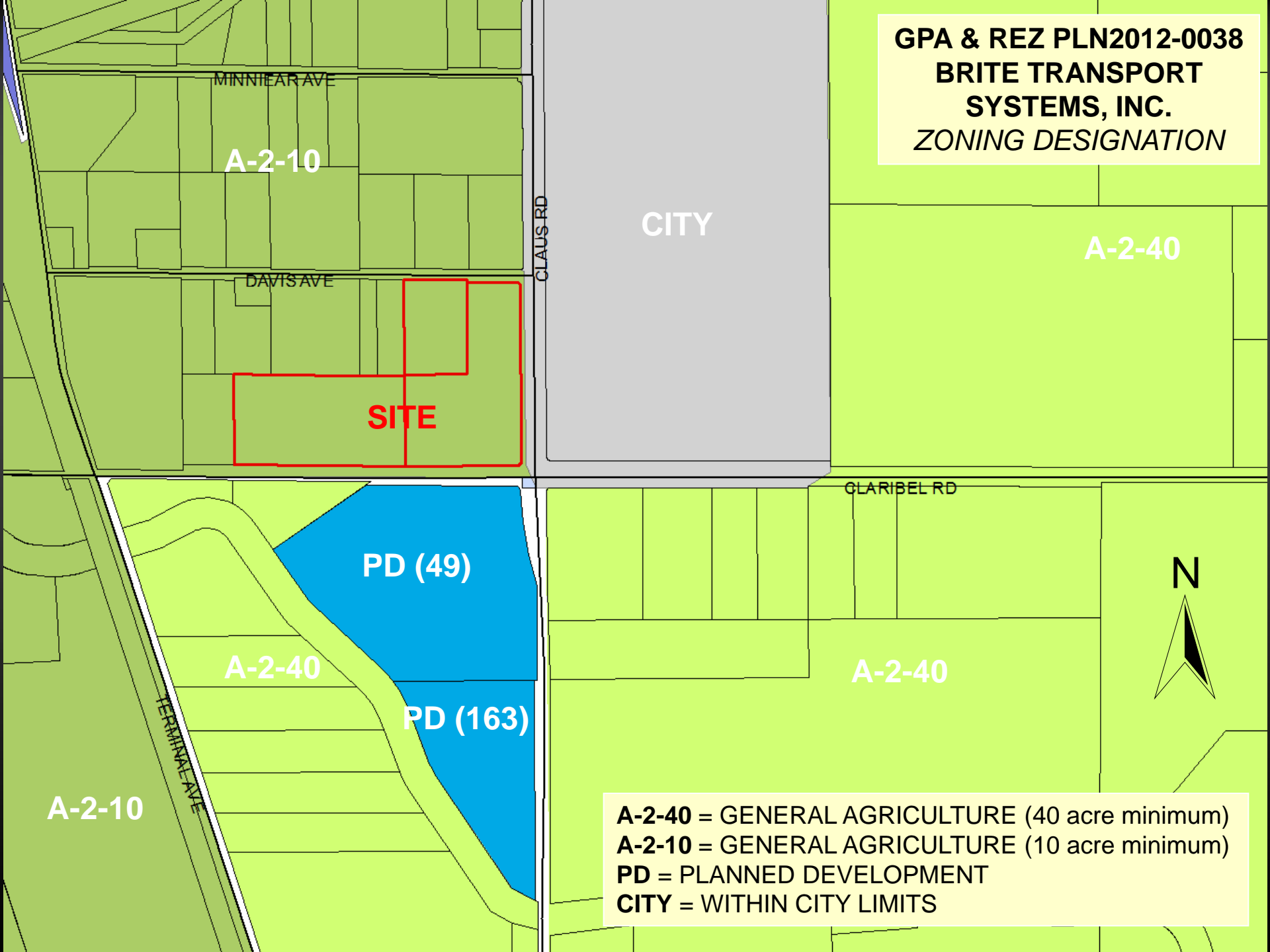


GPA & REZ PLN2012-0038
BRITE TRANSPORT
SYSTEMS, INC.
GENERAL PLAN



AG = AGRICULTURE
UT = URBAN TRANSITION
PD = PLANNED DEVELOPMENT
CITY = WITHIN CITY LIMITS

GPA & REZ PLN2012-0038
BRITE TRANSPORT
SYSTEMS, INC.
ZONING DESIGNATION



A-2-10

MINNIEAR AVE

DAVIS AVE

CLAUS RD

CITY

A-2-40

SITE

GLARIBEL RD

PD (49)

A-2-40

A-2-40

PD (163)

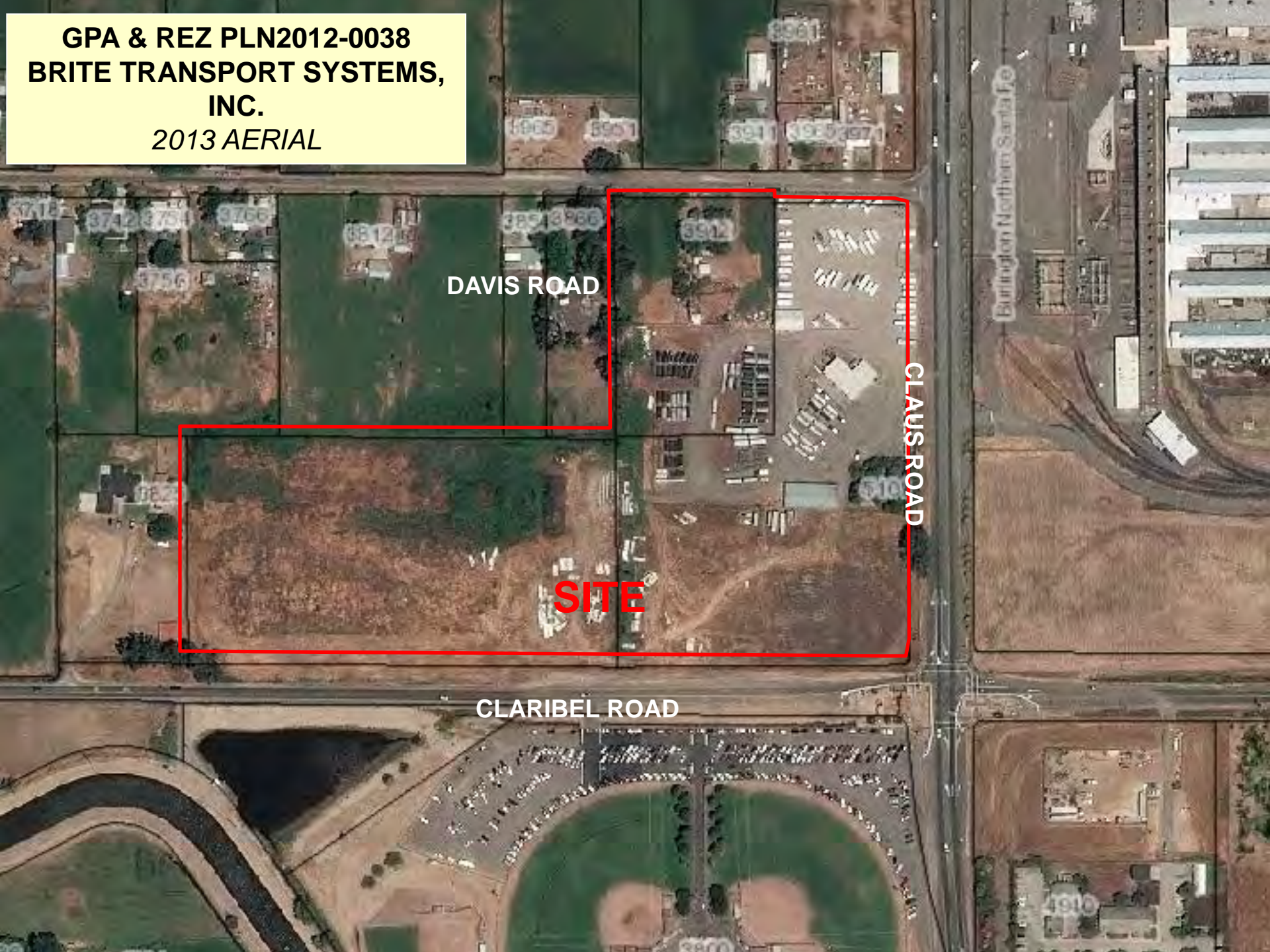
A-2-10

TERMINAL AVE



A-2-40 = GENERAL AGRICULTURE (40 acre minimum)
A-2-10 = GENERAL AGRICULTURE (10 acre minimum)
PD = PLANNED DEVELOPMENT
CITY = WITHIN CITY LIMITS

GPA & REZ PLN2012-0038
BRITE TRANSPORT SYSTEMS,
INC.
2013 AERIAL



DAVIS ROAD

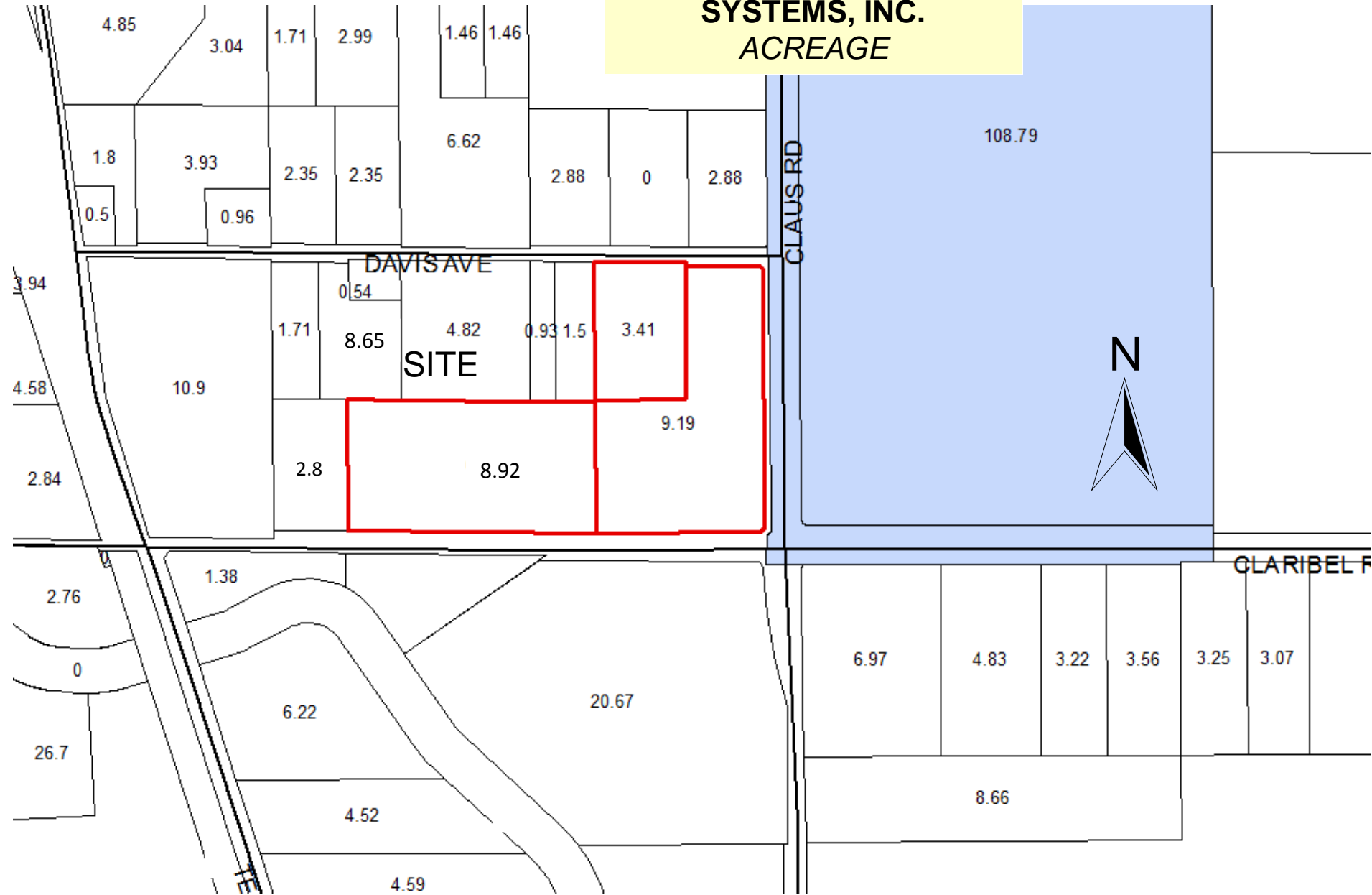
SITE

CLAUS ROAD

CLARIBEL ROAD

Burlington Northern Santa Fe

GPA & REZ PLN2012-0038
BRITE TRANSPORT
SYSTEMS, INC.
ACREAGE



BACKGROUND

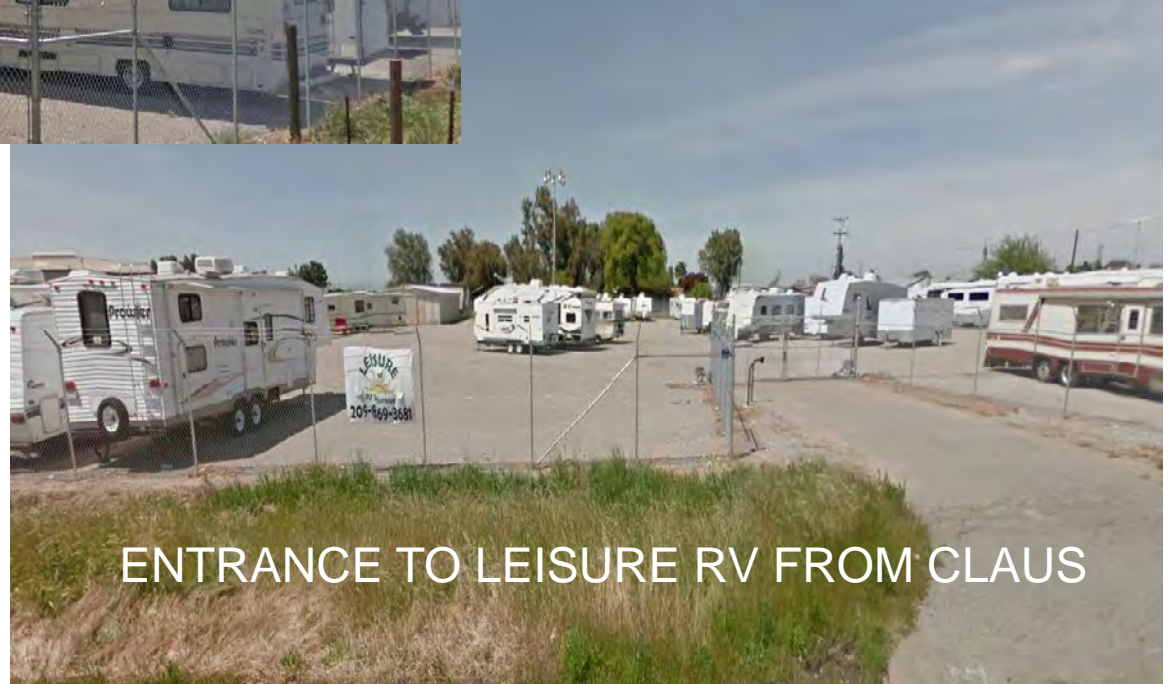
- 1978 (ZUPA 78-121) – Permitted the agricultural trucking operation, including on-site repair and maintenance of trucks
- 1982 (SAA 82-07) - Permitted construction of a 2,400 square foot office
- 1984 (SAA 84-10) – Permitted expansion of maintenance and repair shop and construction of a truck shelter/tire storage area
- 1988 (UP 88-09) – Permitted 2,000 square foot expansion of the truck shelter/tire storage area

GPA & REZ PLN2012-0038
BRITE TRANSPORT SYSTEMS, INC.
2014 STANISLAUS COUNTY GIS STREET VIEW



GPA & REZ PLN2012-0038
BRITE TRANSPORT SYSTEMS, INC.
2014 STANISLAUS COUNTY GIS STREET VIEW

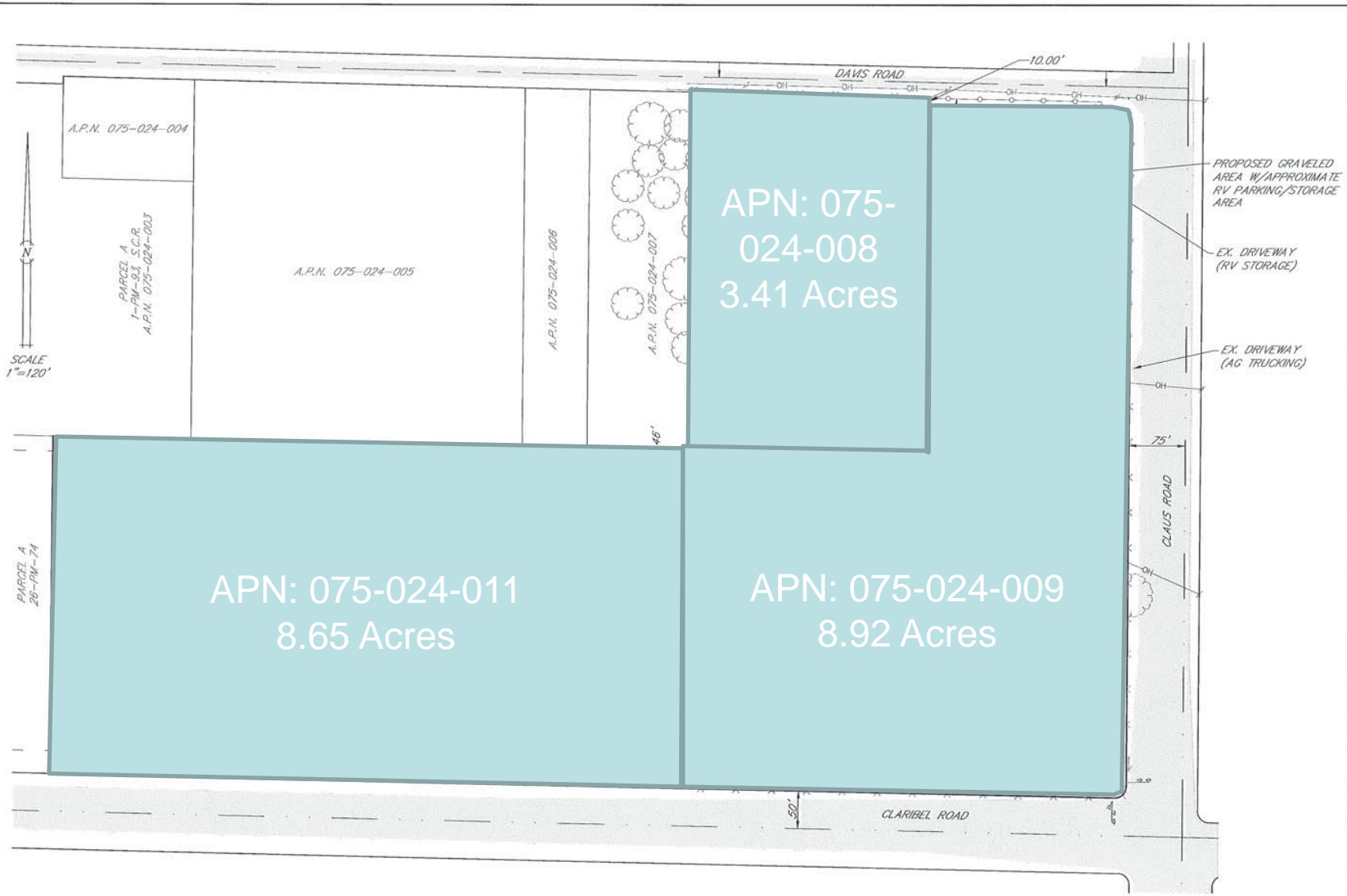
LEISURE RV (FROM DAVIS ROAD)



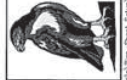
ENTRANCE TO LEISURE RV FROM CLAUS

GPA & REZ PLN2012-0038 - BRITE TRANSPORT SYSTEMS, INC.

Parcels Before Lot Line Adjustment

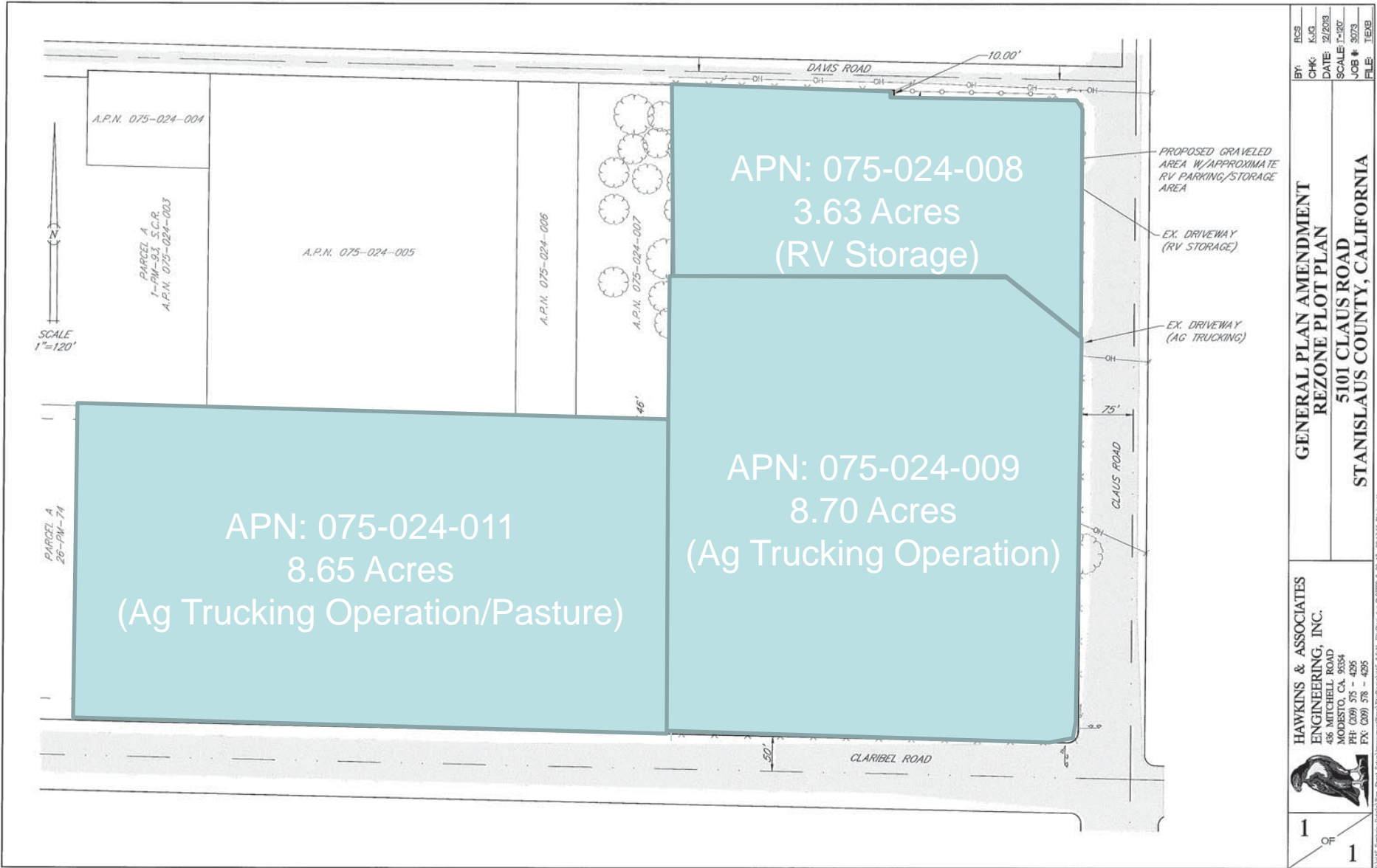


HAWKINS & ASSOCIATES ENGINEERING, INC. 436 MITCHELL ROAD MODOesto, CA 95354 PH: (209) 575 - 4295 FX: (209) 575 - 4295	BY: ECS CHK: K-JG DATE: 12/20/13 SCALE: 1"=120' JOB #: 9073 FILE: TEX2
	GENERAL PLAN AMENDMENT REZONE PLOT PLAN 5101 CLAUS ROAD STANISLAUS COUNTY, CALIFORNIA



GPA & REZ PLN2012-0038 - BRITE TRANSPORT SYSTEMS, INC.

Parcels After Lot Line Adjustment



BY: RCS
 CHK: KJG
 DATE: 12/20/13
 SCALE: 1"=120'
 JOB #: 9073
 FILE: TEXB

**GENERAL PLAN AMENDMENT
 REZONE PLOT PLAN**

**5101 CLAUD ROAD
 STANISLAUS COUNTY, CALIFORNIA**

**HAWKINS & ASSOCIATES
 ENGINEERING, INC.**
 436 MITCHELL ROAD
 MODOesto, CA 95354
 PH: (209) 575 - 4295
 FX: (209) 575 - 4295



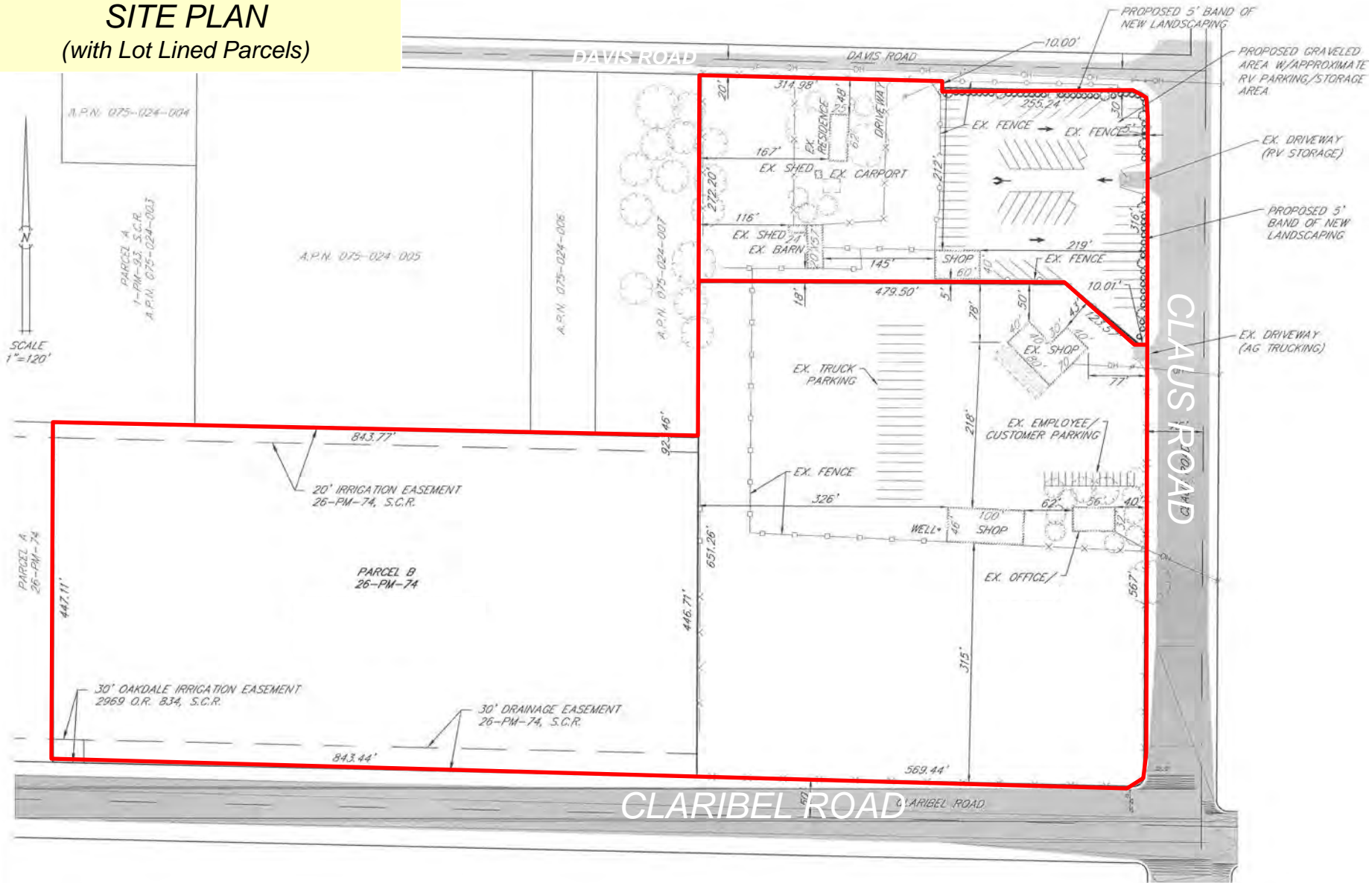
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GPA & REZ PLN2012-0038

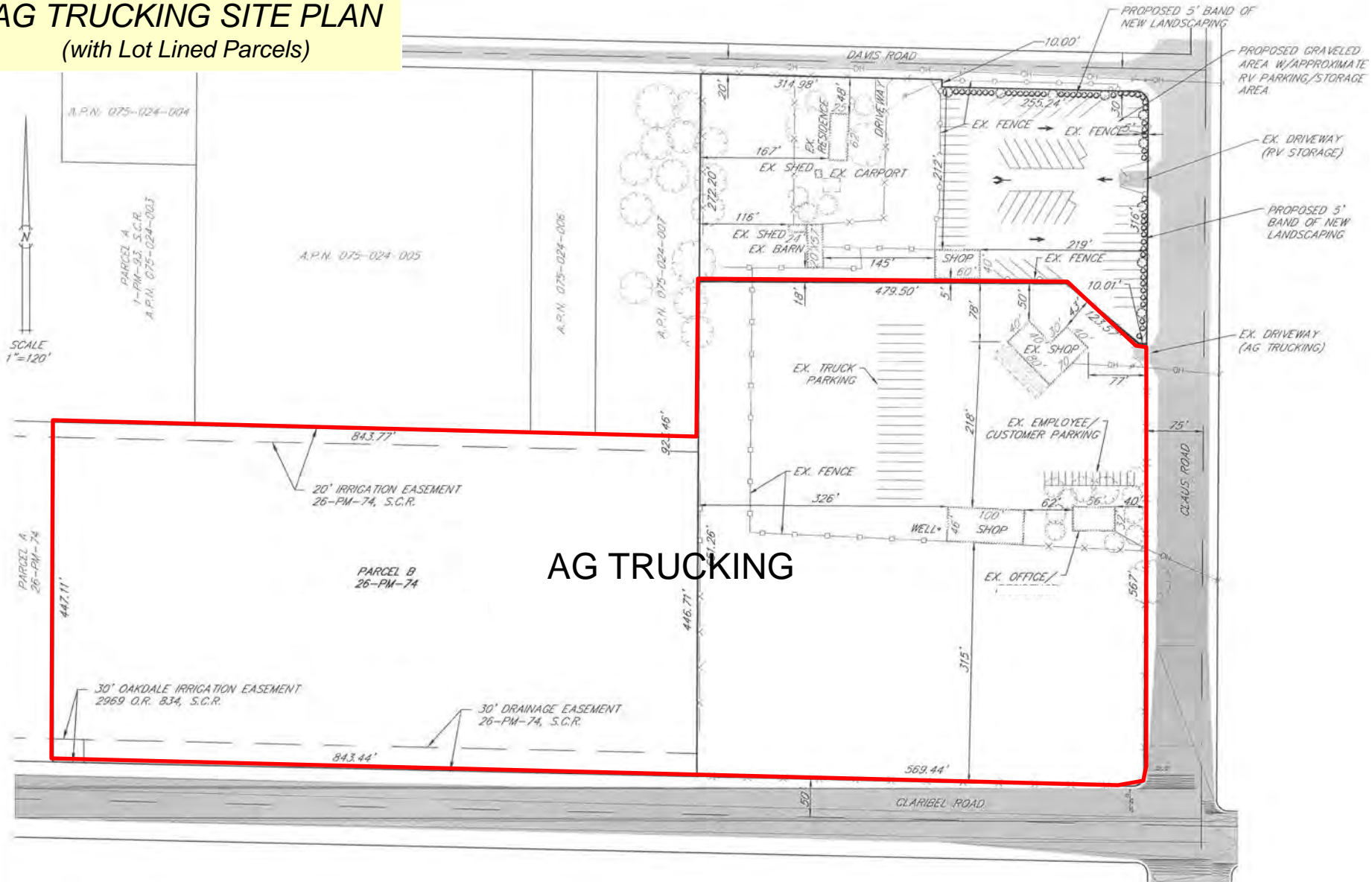
**BRITE TRANSPORT
SYSTEMS, INC.**

SITE PLAN

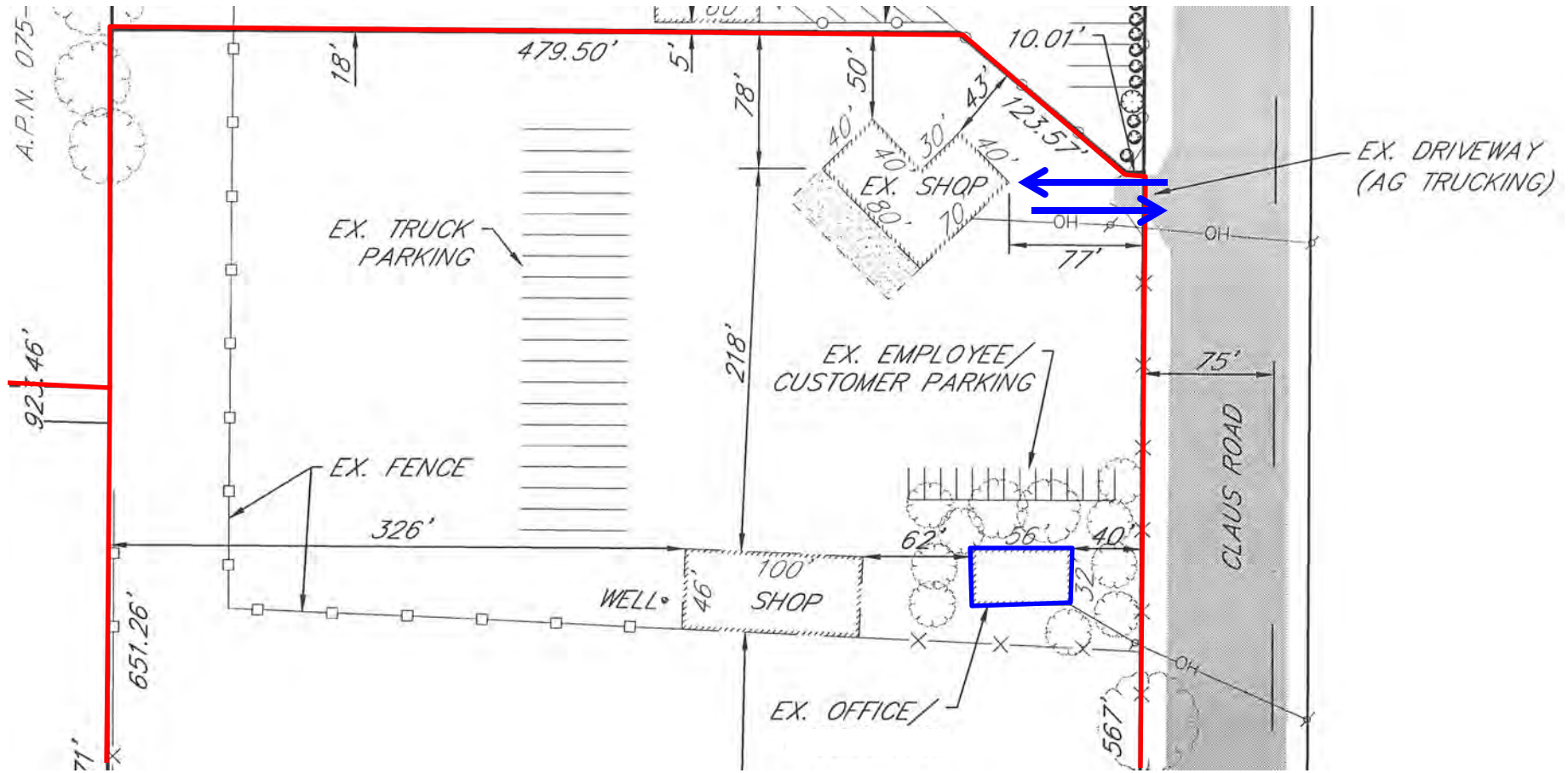
(with Lot Lined Parcels)



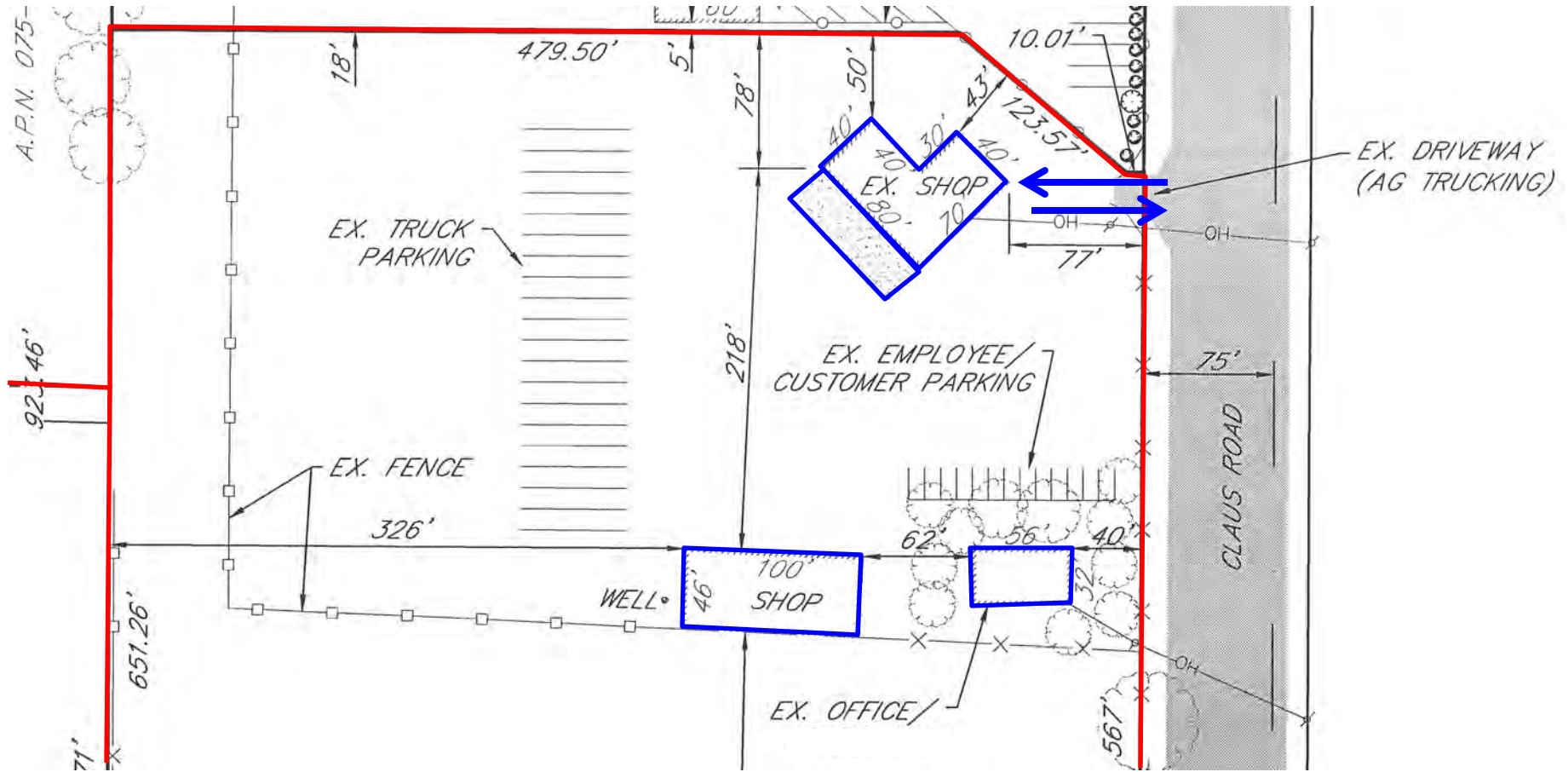
GPA & REZ PLN2012-0038
BRITE TRANSPORT
SYSTEMS, INC.
AG TRUCKING SITE PLAN
(with Lot Lined Parcels)



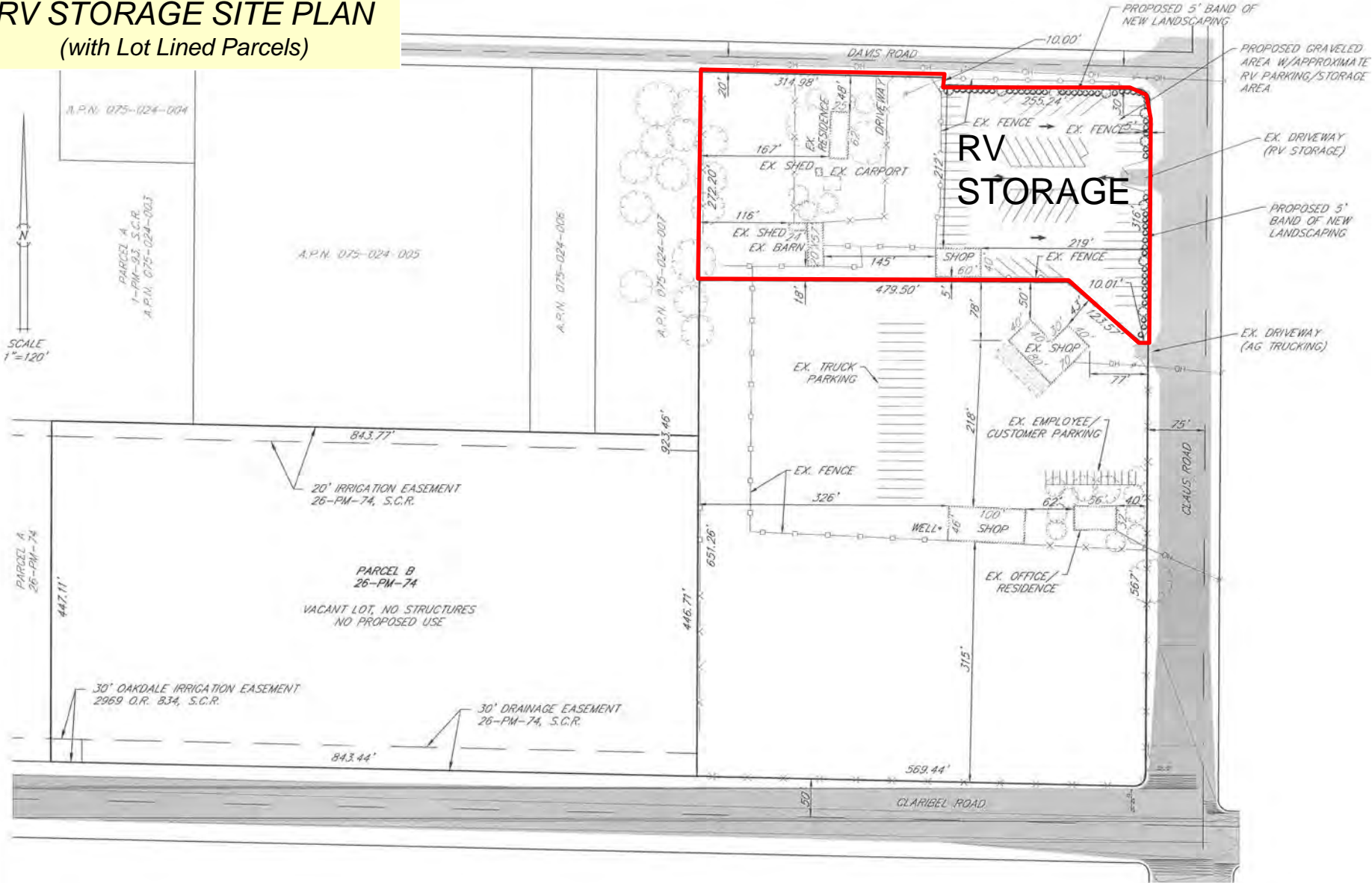
GPA & REZ PLN2012-0038
BRITE TRANSPORT
SYSTEMS, INC.
AG TRUCKING SITE PLAN
(with Lot Lined Parcels)



GPA & REZ PLN2012-0038
BRITE TRANSPORT
SYSTEMS, INC.
AG TRUCKING SITE PLAN
(with Lot Lined Parcels)



GPA & REZ PLN2012-0038
BRITE TRANSPORT
SYSTEMS, INC.
RV STORAGE SITE PLAN
(with Lot Lined Parcels)

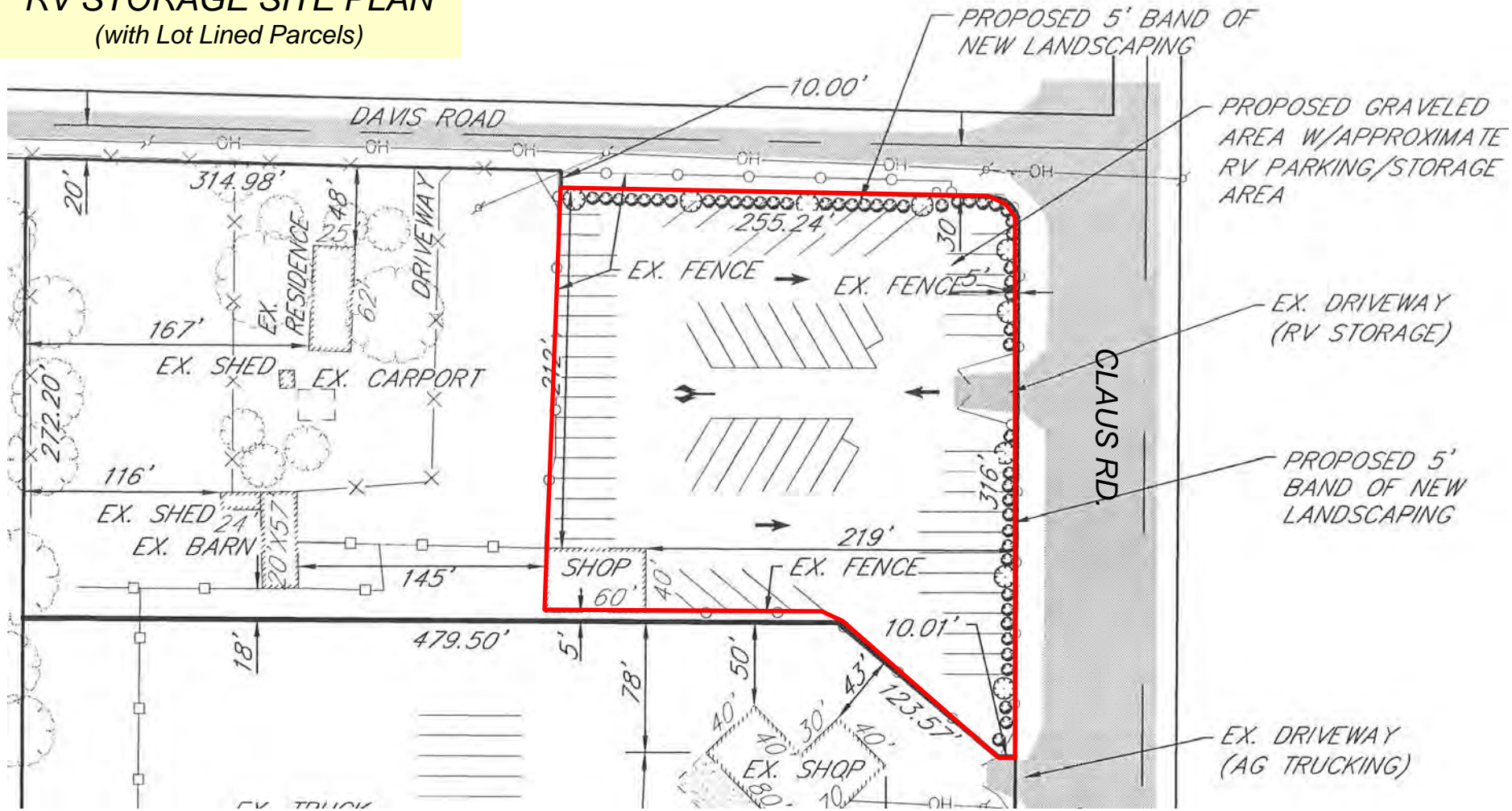


GPA & REZ PLN2012-0038

**BRITE TRANSPORT
SYSTEMS, INC.**

RV STORAGE SITE PLAN

(with Lot Lined Parcels)

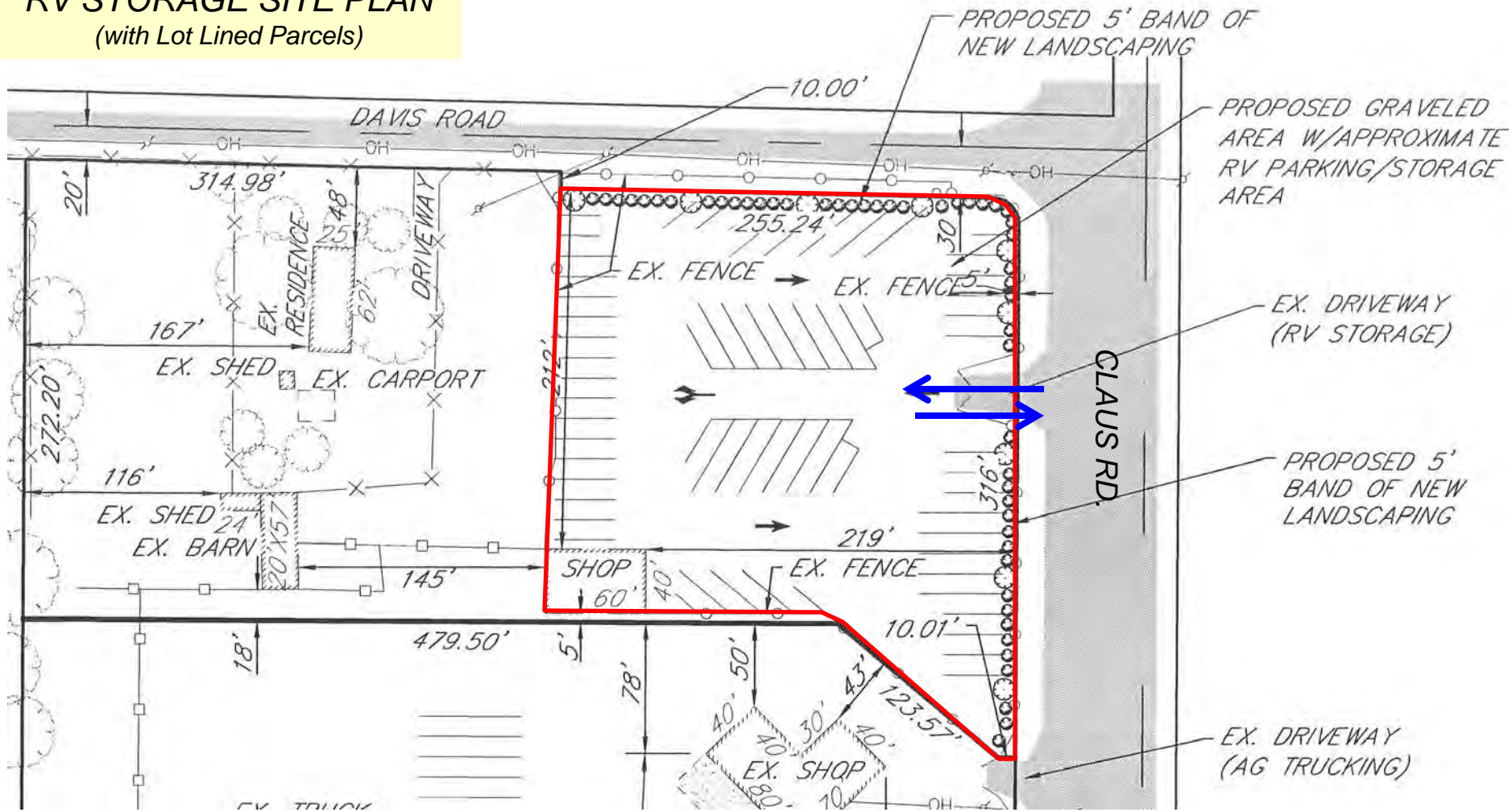


GPA & REZ PLN2012-0038

**BRITE TRANSPORT
SYSTEMS, INC.**

RV STORAGE SITE PLAN

(with Lot Lined Parcels)

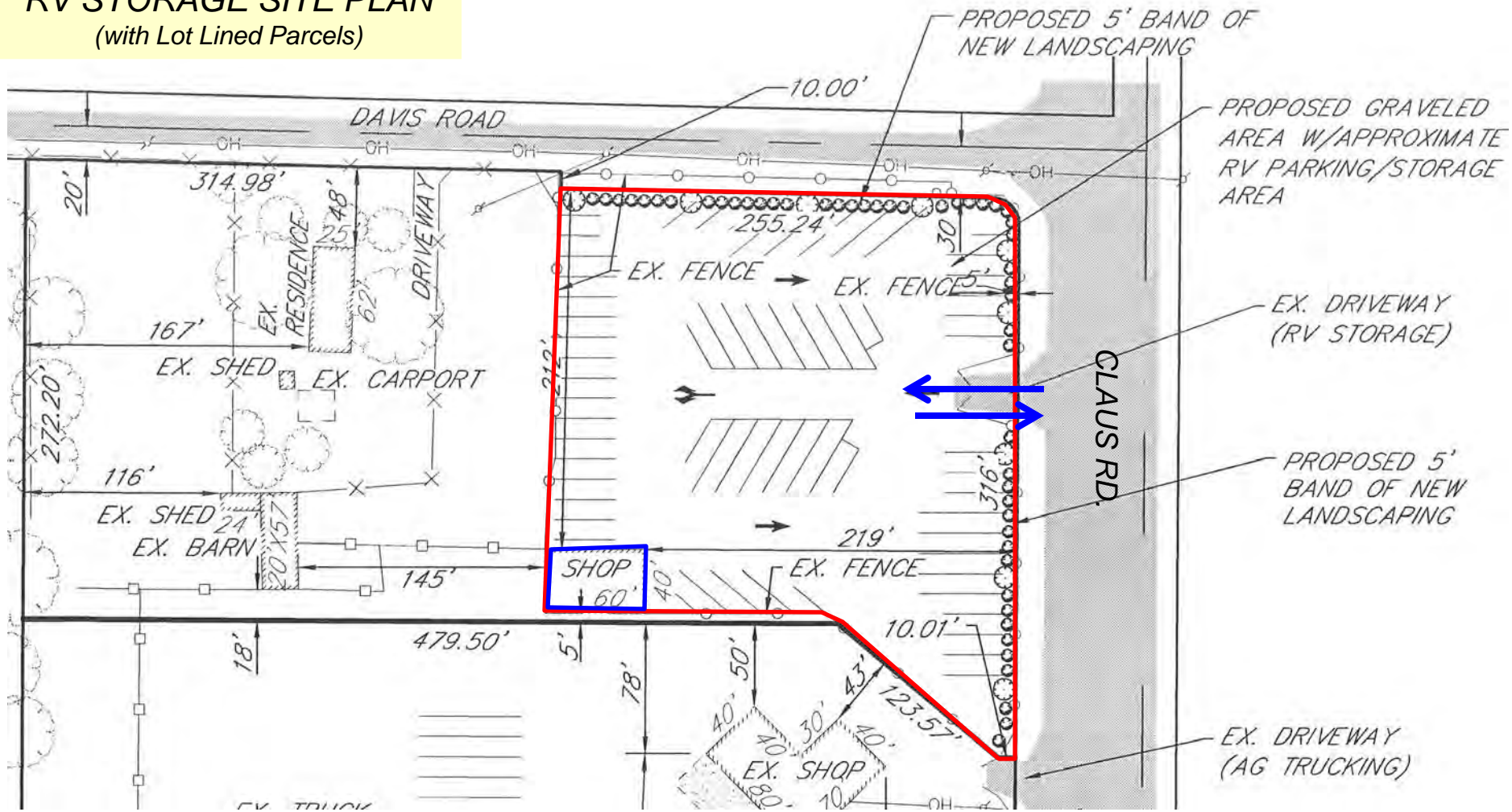


GPA & REZ PLN2012-0038

**BRITE TRANSPORT
SYSTEMS, INC.**

RV STORAGE SITE PLAN

(with Lot Lined Parcels)

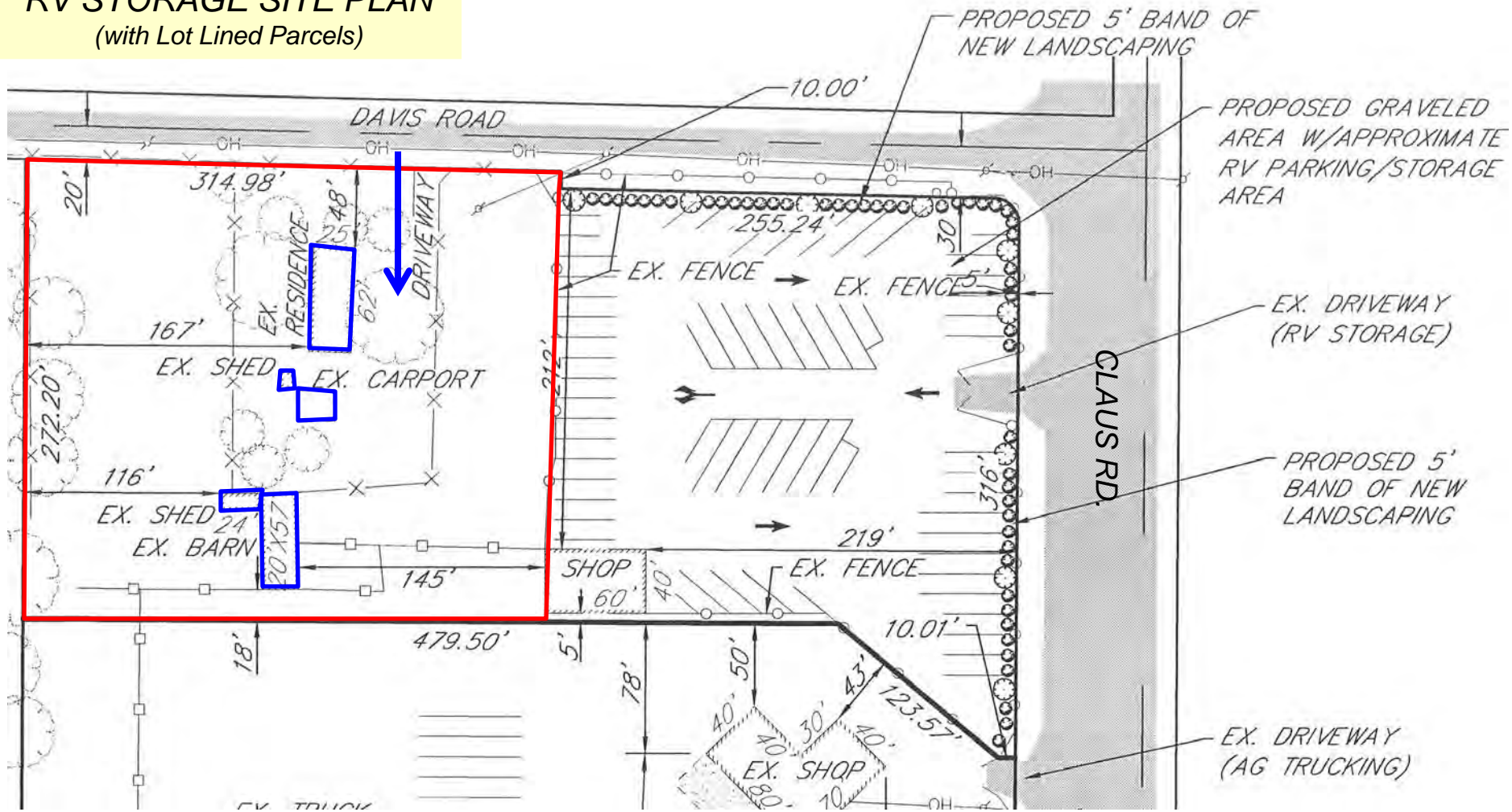


GPA & REZ PLN2012-0038

**BRITE TRANSPORT
SYSTEMS, INC.**

RV STORAGE SITE PLAN

(with Lot Lined Parcels)



DEVELOPMENT PLAN

Within 6 months of project approval:

- RV Storage operation must obtain a building permit for existing shop and accessible restroom and parking facilities (final within 1 year)
- Submit a grading and drainage plan to the Department of Public Works for review and approval

Within 3 months of project approval:

- Record an Irrevocable Access Easement
- Complete a Lot Line Adjustment

ENVIRONMENTAL REVIEW

- A Negative Declaration was prepared and circulated to all interested parties and responsible agencies for review and comment
- No significant issues were raised
- Development standards reflecting referral responses have been placed on the project

GENERAL PLAN AND ZONING CONSISTENCY

- Discussion on General Plan and Zoning designation consistency can be found on pg. 3-6 of Attachment 1 of the Board Report

GENERAL PLAN AND ZONING CONSISTENCY

- Discussion on General Plan and Zoning designation consistency can be found on pg. 3-6 of Attachment 1 of the Board Report
- City of Riverbank commented that the project is consistent with the city's general plan designation of Industrial/Business Park

GENERAL PLAN AND ZONING CONSISTENCY

- Discussion on General Plan and Zoning designation consistency can be found on pg. 3-6 of Attachment 1 of the Board Report
- City of Riverbank commented that the project is consistent with the city's general plan designation of Industrial/Business Park
- The project meets the buffer standard set forth within the Agricultural Element

PLANNING COMMISSION RECOMMENDATION

- July 17, 2014 Planning Commission Hearing
- The Planning Commission voted 6-0 (unanimous) to recommend approval of the project to the Board of Supervisors

FINDINGS

- The General Plan amendment will maintain a logical land use pattern without detriment to existing and planned land uses;
- The County and other affected government agencies will be able to maintain levels of service consistent with the ability of the government agencies to provide a reasonable level of service; and
- The amendment is consistent with the General Plan goals and policies

RECOMMENDATION

For the reasons outlined within the Board Report, staff believes the necessary findings for approval can be made and that the proposed use on this specific site is consistent with the goals and policies of the County's General Plan.

RECOMMENDATION

Staff Recommends that the Board of Supervisors
Approve General Plan Amendment and Rezone
Number PLN2012-0038 – Brite Transport
Systems, Inc. subject to findings 1-6 listed on the
Board Report.

QUESTIONS?



PROOF OF PUBLICATION
(2015.5 C. C. P.)

STATE OF CALIFORNIA,

County of Stanislaus

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of twenty-one years, and not a party to or interested in the above entitled matter. I am the principal clerk of THE RIVERBANK NEWS, 122 South Third Ave, Oakdale, California, a newspaper of general circulation, published in Riverbank, California in the City of Riverbank, County of Stanislaus, and which newspaper has been adjudged a Newspaper of general circulation, by the Superior Court of the County of Stanislaus, State of California. That the Notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

August 27, in the year 2014.

I certify or, declare) under penalty of perjury that the foregoing is true and correct.

Dated at _____ Riverbank, California,

This 27TH day of August 2014.

Teri Allen

Signature

8/19/14 6:40pm

This space is for the County Clerk's Filing Stamp

Proof of Publication of

STANISLAUS COUNTY

ORDINANCE NO. C.S.
1154

PUBLIC NOTICE

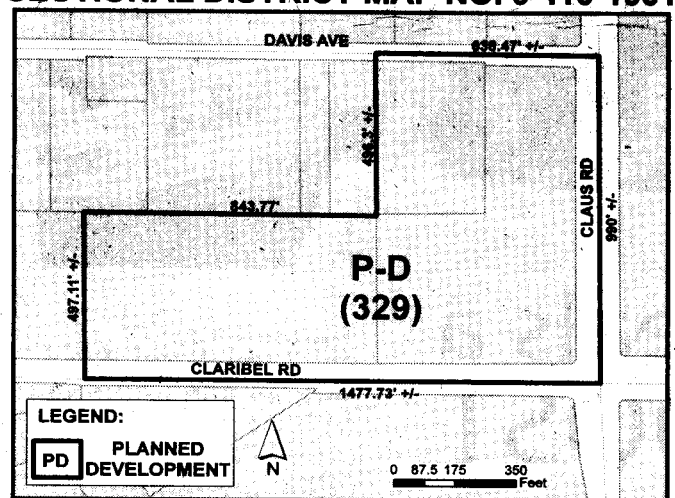
STANISLAUS COUNTY
ORDINANCE NO. C.S. 1154

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. 9-110-1001 FOR THE PURPOSE OF REZONING FROM A-2-10 (GENERAL AGRICULTURE) TO A NEW PD (PLANNED DEVELOPMENT) FOR THREE PARCELS (3.41 ACRES, 8.92 ACRES, AND 8.65 ACRES), TO EXPAND AN EXISTING AGRICULTURAL TRUCKING BUSINESS TO INCLUDE AN RV STORAGE/ PARKING FACILITY ON AN ADJACENT PROPERTY. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CLARIBEL AND CLAUS ROADS, ON THE SOUTH SIDE OF DAVIS AVENUE, IN THE RIVERBANK AREA, APN: 075-024-008, 075-024-009, AND 075-024-011.

The Board of Supervisors of the County of Stanislaus, State of California, ordains as follows:

Section 1. Sectional District Map No. 9-110-1001 is adopted for the purpose of designating and indicating the location and boundaries of a District, such map to appear as follows:

SECTIONAL DISTRICT MAP NO. 9-110-1001



EFFECTIVE DATE: 09.18.2014

PREVIOUS MAPS: 519B, 67, 37

Section 2. This ordinance shall take effect and be in full force thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against same, in the Riverbank News, a newspaper of general circulation published in Stanislaus County, State of California.

Upon motion of Supervisor O'Brien, seconded by Supervisor Monteith, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 19th day of August, 2014, by the following called vote: AYES: Supervisors: O'Brien, Chiesa, Withrow, Monteith and Chairman De Martini; NOES: Supervisors: None; ABSENT: Supervisors: None; ABSTAINING: Supervisors: None. /s/ Jim DeMartini, CHAIRMAN OF THE BOARD OF SUPERVISORS of the County of Stanislaus, State of California. ATTEST: Christine Ferraro Tallman, Clerk of the Board of Supervisors of the County of Stanislaus, State of California; BY: Elizabeth A. King, Asst. Clerk. APPROVED AS TO FORM: John P. Doering, County Counsel; By Thomas E. Boze, County Counsel.

August 27, 2014

FIN#14-160